

Exhibit 1



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June 30, 2015

Fisher & Phillips LLP
Attn: Mr. Pavneet Singh Uppal
201 E. Washington St., Ste 1450
Phoenix, AZ 85004

Subject: Notification of Award of a Contract for Legal Services under RFP 3306-4

Dear Mr. Uppal:

The purpose of this letter is to advise you that your firm's proposal has been accepted under Maricopa County Community College District (MCCCD) RFP 3306-4 and that your firm is eligible starting on July 1, 2015 to provide legal services in the following general areas:

- Administrative
- Affordable Care Act
- Data Security
- Data Privacy
- Education (K-12 and Post-Secondary)
- Employee Benefits
- Employment Discrimination
- Governmental Employment Immigration
- Unemployment Compensation
- Employment & Equal Opportunity Investigations
- Mediator & Arbitrator
- Administrative Hearing Officer

As noted in the RFP, this notice places your firm on the master list of attorneys that the Office of the General Counsel may use during the term of the contract. It does not authorize any specific work and your firm will not be entitled to perform work unless it receives an MCCCD purchase order for that work.

Please note that your firm's provision of services is subject to the terms of the RFP (including the Guidelines for Outside Counsel). To ensure a common understanding of

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some of the most important provisions of the RFP, here is a non-exclusive list of some of the more central ones:

- The Office of the General Counsel, and specifically Le Dinh, must arrange for the issuance of the necessary internal (requisition) and external (purchase order) documents before your firm may begin providing any services. You may not proceed with any work at the request of any other employee of MCCCCD without the authorization proceeding through the Office of the General Counsel.
- The types of expenses and fees for which MCCCCD will reimburse your firm are specified in the Guidelines for Outside Counsel that was a part of the RFP. Despite the designation in your response to the RFP of chargeable expenses such as “ancillary costs,” travel reimbursement at specified rates, or incidental costs such as clerical ones, the Guidelines’ terms prevail. That means, for instance, that MCCCCD will not pay for:
 - Secretarial/administrative assistant or clerical costs, even if the clerical work is performed by attorneys or paralegals (Guidelines, pages 2 and 3)
 - Preparation of litigation budgets, bills or billing inquiries (Guidelines, page 2)
 - Training or educating employees (Guidelines, page 3)
 - Basic research presumed to be in the firm’s expertise (Guidelines, page 3)
 - In MCCCCD’s sole determination, unnecessary internal conferences among firm attorneys and others about a case (Guidelines, page 3)
 - Local travel, unapproved travel, or travel at rates that exceed rates that MCCCCD reimburses its employees for travel (see Guidelines, page 4)
 - Certain fees and costs incurred without prior approval, such as the addition of lawyers to a matter (Guidelines, page 1) or non-local travel (Guidelines, page 2)
- Your bills must be in the format specified under the headings “Contents of Bill” and “Expenses” in the Guidelines. (See Guidelines, pages 2-4.) For instance, you may not combine several unrelated tasks into a single total for time spent to perform those tasks. Your firm’s failure to follow the format and the level of detail required will result in a directive to resubmit the bill.

Please note that we reserve the right to amend the Guidelines at any time, including the exclusion or limitation of expenses that may currently be approved. We are currently discussing these issues with our insurance carrier.

Access to the Guidelines for Outside Counsel is available at:

<https://legal.maricopa.edu/sites/default/files/Guidelines-for-Outside-Counsel.pdf>

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Thank you for your interest in providing legal services to MCCCD. If you have any other questions or concerns regarding this award, please contact Gloria Toscano at 480-731-8597.

Sincerely,

David Martin

Director, Purchasing and Auxiliary Services

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Rio Salado | Scottsdale | South Mountain | Maricopa Skill Center | SouthWest Skill Center

PART 7. PRICING SCHEDULE

The Office of the General Counsel requires that pricing provided by Proposers be at least as favorable as the prices that the Proposers offer as outside counsel to other public entities in Maricopa County. If a Proposer does not provide outside counsel services to other public entities in Maricopa County, or wishes to propose higher fees, it must indicate below that it does not have contracts with other public entities or the reasons it proposes higher fees.

Proposer currently has ☒ does not have ☐ a contract or contracts with other public entities in Maricopa County.

If Proposer currently has contracts with other public entities, please provide the name of the public entity on whose contract the Proposer's pricing is based:

Fishes & Phillips LLP currently has a contract with MCCCCD. We based our proposed pricing on our contract with MCCCCD. Fisher & Phillips also currently has a contract with the City of Phoenix which will expire June 30, 2015. We will be increasing our rates with the City of Phoenix commensurate with this proposal.

A. IF PROPOSER IS A LAW FIRM, PRICING FOR THE INITIAL TERM BASED ON SPECIFIC ATTORNEY OR AFTER-ACQUIRED ATTORNEY

<i>PARTNER NAME</i>	<i>YEARS IN PRACTICE IN DESIRED AREA OF EXPERTISE</i>	<i>RATE/HOUR</i>
Pavneet Singh Uppal Regional Managing Partner, Senior Partner	22	\$345.00
Suzanne Bogdan Leader-Education Practice Group, Senior Partner	24	\$345.00
Shayna H. Balch Partner	9	\$325.00
<i>OF COUNSEL NAME</i>	<i>YEARS IN PRACTICE IN DESIRED AREA OF EXPERTISE</i>	<i>RATE/HOUR</i>
L. Brent Garrett Of Counsel	13	\$320.00
<i>ASSOCIATE NAME</i>	<i>YEARS IN PRACTICE IN DESIRED AREA OF EXPERTISE</i>	<i>RATE/HOUR</i>
Alanna R. Brook Associate	5	\$250.00
<i>PARALEGALS</i>	<i>N/A</i>	<i>RATE/HOUR</i>
Eileen Kane Paralegal	25	\$175.00
<i>ATTORNEYS ACQUIRED DURING THE CONTRACT TERM</i>	<i>YEARS IN PRACTICE IN DESIRED AREA OF EXPERTISE</i>	<i>RATE/HOUR</i>
Senior Partner		\$345.00
Partner		\$325.00
Of Counsel		\$320.00
Associate		\$250.00

B. IF PROPOSER IS A LAW FIRM, PRICING FOR THE INITIAL TERM BASED ON ATTORNEY STATUS

TIMEKEEPER	PROPOSED 2015 DISCOUNTED HOURLY RATES
Pavneet Singh Uppal Senior Partner/Regional Managing Partner	\$345.00
Suzanne Bogdan Senior Partner/Leader-Education Practice Group	\$345.00
Shayna H. Balch Partner	\$325.00
L. Brent Garrett Of Counsel	\$320.00
Alanna R. Brook Associate	\$250.00
Eileen Kane Paralegal	\$175.00

Hourly rates shall be billed in increments of 1/10th of an hour.

C. IF PROPOSER IS AN INDIVIDUAL, PRICING FOR THE INITIAL TERM:

ATTORNEY NAME	RATE/HOUR

D. Describe Proposer's Method of Billing for Services: Fisher & Phillips will bill monthly.**E. Describe Proposer's Method of Billing Costs:** Fisher & Phillips will include actual costs incurred in monthly billing.

RENEWAL YEAR RATES: Proposer is not guaranteed or entitled to the full percentage in each renewal year if it receives a contract. Renewal rates are negotiable based on these percentages. If the Proposer does not specify a renewal rate increase percentage, the fees for renewal years shall be at the rate specified for the initial year of the Contract.

1st Renewal Term 0 % above the initial year's rate

2nd Renewal Term 0 % above the initial year's rate

3rd Renewal Term 5 % above the initial year's rate

4th Renewal Term 0 % above the initial year's rate

Any potential law firms that MCCCCD is doing business with must agree to e-billing and provide an interface for outside counsel to input information. With that e-billing system, the Office of the General Counsel will also favorably consider firms that offer a quick payment discount, i.e., if

Fisher & Phillips Response to RFP Number: 3306-4

Legal and Investigative Services

MCCCD pays the law firm invoice within ten (10) business days of submittal, legal fees are reduced 2% by the law firm.

Please indicate whether your firm will ☒ will not ☐ offer a prompt payment discount of 2%.

Please confirm that the authorize agent preparing this Proposal has read, understands, and will ensure his/her firm's compliance with the provisions of the attached Guidelines for Outside Counsel by initialing here:

Authorized Agent's Initials: 

Fisher & Phillips Response to RFP Number: 3306-4

Legal and Investigative Services

You may submit a more detailed pricing schedule in lieu of the above as an attachment to this page, but this page must be signed and included with your proposal.

SIGNATURE: _____

(PRINTED NAME): Payneet Singh Uppal

TITLE: Regional Managing Partner

FIRM: Fisher & Phillips LLP

ADDRESS: 201 E. Washington Street, Suite 1450

CITY, STATE, ZIP: Phoenix, Arizona 85004-2330

TELEPHONE: (602) 281-3410

FAX NUMBER: (602) 281-3401

SIGNER E-MAIL: puppal@laborlawyers.com

FIRM WEB SITE ADDRESS: www.laborlawyers.com

Exhibit 2

Cleopatria Martinez v. MCCC
Defendants' Task-Based Itemized Statement of Fees and Expenses

I. ATTORNEYS' FEES

<u>Date</u>	<u>Timekeeper Name</u>	<u>Billed Amount</u>	<u>Hours</u>	<u>Description</u>
09/14/15	UPPAL, PAVNEET	\$34.50	0.10	Review summons and affidavit of service.
09/16/15	UPPAL, PAVNEET	\$517.50	1.50	Review and analyze complaint and potential for early motion for summary judgment.
10/05/15	UPPAL, PAVNEET	\$828.00	2.40	Prepare stipulation and proposed order regarding answer (0.30); telephone conference with plaintiff's counsel, T. Schleier, regarding plaintiff's claims and prior litigation (0.60); outline answer and affirmative defenses to voluminous complaint (1.50).
10/07/15	UPPAL, PAVNEET	\$34.50	0.10	Review order granting extension to respond to answer.
10/08/15	UPPAL, PAVNEET	\$345.00	1.00	Review and analyze plaintiff's due process claims.
10/13/15	UPPAL, PAVNEET	\$414.00	1.20	Review documents relevant to plaintiff's claims.
10/14/15	UPPAL, PAVNEET	\$103.50	0.30	Prepare correspondence to L. Combs regarding plaintiff's communications with Ombudsman (0.10); prepare correspondence to L. Combs regarding potential motion for summary judgment (0.20).
10/16/15	UPPAL, PAVNEET	\$448.50	1.30	Review and analyze correspondence from L. Combs regarding Martinez's appeal of suspension (0.20); review minutes of Governing Board meeting and arguments presented by plaintiff's former counsel in response to disciplinary suspension (1.10).
10/28/15	UPPAL, PAVNEET	\$138.00	0.40	Review correspondence from plaintiff regarding removal of directive regarding advance review of her teaching materials and response to same by Interim President (0.20); conference with L. Combs regarding same (0.20).
11/03/15	UPPAL, PAVNEET	\$69.00	0.20	Conference with T. Schleier regarding plaintiff's intention to amend complaint.
11/04/15	UPPAL, PAVNEET	\$517.50	1.50	Review and analyze plaintiff's 117-paragraph amended complaint and voluminous supporting exhibits.
11/11/15	UPPAL, PAVNEET	\$2,070.00	6.00	Prepare and revise answer and affirmative defenses to Martinez's 117-paragraph verified amended complaint.
11/13/15	UPPAL, PAVNEET	\$34.50	0.10	Conference with plaintiff's counsel regarding verification.
11/17/15	UPPAL, PAVNEET	\$138.00	0.40	Review L. Combs' revisions to proposed answer to complaint.
11/23/15	UPPAL, PAVNEET	\$586.50	1.70	Review comments and revisions to draft answer provided by client (0.50); revise, finalize, and file answer and affirmative defenses to 117-paragraph complaint (1.20).
11/24/15	UPPAL, PAVNEET	\$344.10	0.90	Review order setting scheduling conference (0.10); outline and begin preparing case management plan (0.80).
12/01/15	UPPAL, PAVNEET	\$241.50	0.70	Review documents received from E. Calderon regarding plaintiff and prior Hearing Committee.

Cleopatria Martinez v. MCCCC**Defendants' Task-Based Itemized Statement of Fees and Expenses**

12/01/15	UPPAL, PAVNEET	\$345.00	1.00	Review court order regarding case management conference requirements (0.50); begin drafting case management plan (0.50).
12/04/15	BALCH, SHAYNA	\$1,625.00	5.00	Legal research in support of argument that plaintiff's claims are barred by res judicata (2.50); outline motion for summary judgment (1.00); review and analyze complaint for additional legal arguments in support of dismissal, namely plaintiff's receipt of due process (1.50).
12/08/15	UPPAL, PAVNEET	\$379.50	1.10	Review correspondence from opposing counsel T. Schleier regarding Rule 26 meet and confer telephone conference (0.10); draft case management plan (1.00).
12/14/15	UPPAL, PAVNEET	\$103.50	0.30	Telephone conference with S. Garrison regarding subpoena and need for his expert services in second Martinez lawsuit and claims asserted by Martinez.
12/16/15	UPPAL, PAVNEET	\$34.50	0.10	Review notice of subpoena for expert S. Garrison.
12/17/15	UPPAL, PAVNEET	\$690.00	2.00	Begin preparing initial disclosures.
12/18/15	UPPAL, PAVNEET	\$621.00	1.80	Review correspondence from plaintiff's counsel T. Schleier regarding case management and litigation deadlines (0.20); outline Rule 16 scheduling deadlines and discovery and expert cutoffs (0.40); review Judge Wake's standing orders (0.20); review and analyze plaintiff's due process claims (1.00).
12/21/15	UPPAL, PAVNEET	\$897.00	2.60	Attend Rule 26 meet and confer conference with plaintiff's counsel T. Schleier and K. Koebel (0.70); review and analyze plaintiff's proposed deadlines and issues in dispute (0.40); begin preparing Rule 26 disclosures (1.50).
12/22/15	UPPAL, PAVNEET	\$759.00	2.20	Review and analyze interrogatories propounded by plaintiff (0.50); review and analyze requests for production propounded by plaintiff (0.50); review correspondence from L. Kasten of Lewis and Roca regarding subpoena propounded upon S. Garrison (0.20); prepare subpoena and documents requests for plaintiff's expert, F. Bellamy (0.80); prepare correspondence to plaintiff's counsel regarding their failure to give prior notice of subpoena to S. Garrison as required by the rules (0.20).
12/28/15	UPPAL, PAVNEET	\$897.00	2.60	Legal research regarding collateral estoppel claims asserted by both plaintiff and defendants (2.40); prepare file memo regarding partial motion for summary judgment (0.20).
12/30/15	UPPAL, PAVNEET	\$862.50	2.50	Prepare Rule 26 disclosure statement and identify documents subject to disclosure.
01/06/16	UPPAL, PAVNEET	\$310.50	0.90	Review and analyze plaintiff's voluminous witness list and disclosures regarding plaintiff's witnesses.
01/07/16	UPPAL, PAVNEET	\$69.00	0.20	Telephone conference with T. Schleier regarding filing of Rule 16 report.

Cleopatria Martinez v. MCCCDC**Defendants' Task-Based Itemized Statement of Fees and Expenses**

01/08/16	UPPAL, PAVNEET	\$621.00	1.80	Meeting with Lewis and Roca's General Counsel, L. Kasten, regarding plaintiff's subpoena for Lewis and Roca's files (0.30); review Lewis and Roca's proposed document production in response to subpoena (1.50).
01/11/16	UPPAL, PAVNEET	\$828.00	2.40	Begin reviewing 5500 pages of documents identified in plaintiff's initial disclosure statement.
01/15/16	UPPAL, PAVNEET	\$862.50	2.50	Attend Rule 16 scheduling conference (1.50); outline answers to likely questions by Judge Wake and prepare for Rule 16 scheduling conference (1.00).
01/15/16	BALCH, SHAYNA	\$162.50	0.50	Conference with P. S. Uppal regarding scheduling conference, Judge Wake's comments at same, and strategy for moving forward with summary judgment briefing (0.30); review Rule 16 scheduling order (0.20).
01/19/16	UPPAL, PAVNEET	\$207.00	0.60	Review subpoena response from plaintiff's copyright expert.
01/25/16	UPPAL, PAVNEET	\$552.00	1.60	Telephone conferences (2) with plaintiff's counsel regarding extension for discovery responses and opposing counsel's potential withdrawal (0.30); prepare and revise stipulation and proposed order regarding plaintiff's non-uniform interrogatories, request for admission and request for production (0.30); outline objections to plaintiff's discovery requests (1.00).
01/29/16	UPPAL, PAVNEET	\$793.50	2.30	Review documents responsive to plaintiff's request for production and request for admission.
02/01/16	BALCH, SHAYNA	\$812.50	2.50	Preparation of objections and responses to plaintiff's voluminous requests for production.
02/03/16	UPPAL, PAVNEET	\$69.00	0.20	Review order granting plaintiff's ex parte motion to withdraw as plaintiff's counsel (0.10); prepare correspondence to T. Schleier and K. Koebel regarding same (0.10).
02/04/16	BALCH, SHAYNA	\$487.50	1.50	Outline responses and objections to plaintiff's interrogatories, requests for production and requests for admission.
02/11/16	BALCH, SHAYNA	\$487.50	1.50	Continue preparation of responses to voluminous requests for production (1.00); preparation of list of information and documents still required from client (0.50).
02/12/16	BALCH, SHAYNA	\$650.00	2.00	Preparation of responses to plaintiff's voluminous interrogatory requests.
02/16/16	BALCH, SHAYNA	\$1,690.00	5.20	Continue preparation of responses to voluminous interrogatory requests (3.70); review audio files pertaining to C. Martinez's appearances in front of the MCCCDC Governing Board (1.00); prepare correspondence to P. S. Uppal summarizing documentation required to respond to C. Martinez pending discovery requests (0.50).

Cleopatria Martinez v. MCCCC**Defendants' Task-Based Itemized Statement of Fees and Expenses**

02/16/16	UPPAL, PAVNEET	\$655.50	1.90	Review memorandum from S. H. Balch regarding documents and information needed to respond to plaintiff's four sets of discovery requests (0.40); review documents relevant to plaintiff's requests for admission, non-uniform interrogatories and requests for production (1.50).
02/17/16	BALCH, SHAYNA	\$1,462.50	4.50	Research on MCCCC website for all presentations by C. Martinez and her agents to the MCCCC Governing Board regarding the alleged denial of due process to her (2.00); review and analyze videos of hearings (1.00); review and analyze minutes of summaries of same (1.00); review and analyze transcripts (0.50).
02/17/16	UPPAL, PAVNEET	\$517.50	1.50	Review and analyze superseded Residential Faculty Policies governing discipline and suspension in effect at time of plaintiff's suspension (0.80); review records regarding arguments presented by plaintiff to Governing Board regarding her suspension (0.70).
02/19/16	BALCH, SHAYNA	\$975.00	3.00	Prepare responses to requests for admission and interrogatories (2.00); prepare comprehensive list of all documentation relevant to MCCCC's decision to suspend C. Martinez for inclusion in discovery responses and MCCCC's supplemental disclosures (1.00).
02/22/16	UPPAL, PAVNEET	\$1,690.50	4.90	Interview Chancellor Gasper regarding plaintiff's claims and discovery requests (0.90); review relevant documents and prepare for telephone conference with Dr. Gasper (1.50); review and revise responses to plaintiff's first set of request for admissions (1.10); review and revise responses to plaintiff's first set of non-uniform interrogatories to MCCCC (1.30); review Residential Faculty Policies procedures (0.10).
02/22/16	BALCH, SHAYNA	\$1,690.00	5.20	Continue preparation of responses and objections to voluminous discovery requests by Martinez and revise and finalize same (4.50); revise responses to discovery requests per comments from Chancellor Gasper (0.70).
02/23/16	BALCH, SHAYNA	\$1,625.00	5.00	Review and analyze transcript from discovery dispute hearing in first lawsuit for issue of waived emotional distress damages (0.40); outline discovery to be taken (0.80); outline motion for summary judgment on grounds of res judicata and that plaintiff was provided full due process (1.00); legal research regarding case law supporting same (1.50); preparation of interrogatories and requests for admission (1.00); prepare correspondence regarding release forms for medical records (0.30).
02/23/16	UPPAL, PAVNEET	\$621.00	1.80	Review plaintiff's disclosures.
02/23/16	UPPAL, PAVNEET	\$69.00	0.20	Review correspondence from Chancellor Gasper regarding meeting with Board members regarding plaintiff's suspension.

Cleopatria Martinez v. MCCCDD**Defendants' Task-Based Itemized Statement of Fees and Expenses**

02/25/16	BALCH, SHAYNA	\$812.50	2.50	Continue preparation of discovery to Martinez including interrogatories, requests for admissions and requests for production.
02/28/16	BALCH, SHAYNA	\$975.00	3.00	Prepare legal argument that plaintiff has received all necessary due process protections by way of hearing and presentations before the Board (2.00); begin preparation of supplemental disclosure statement (1.00).
03/08/16	UPPAL, PAVNEET	\$172.50	0.50	Review and analyze Martinez's prior discrimination claims.
03/15/16	BALCH, SHAYNA	\$1,787.50	5.50	Research regarding Martinez's failure to establish a due process claim (2.00); review and analyze transcripts and relevant client documents (2.50); prepare supplemental disclosures (1.00).
03/16/16	UPPAL, PAVNEET	\$276.00	0.80	Review documents related to plaintiff's due process claims.
03/18/16	BALCH, SHAYNA	\$650.00	2.00	Review and analyze complaint, hearing transcripts and records from prior lawsuit for admissions to be used in motion for summary judgment.
03/24/16	BALCH, SHAYNA	\$487.50	1.50	Review and analyze hearing and deposition transcripts for admissions in favor of dismissal of claims.
03/25/16	BALCH, SHAYNA	\$812.50	2.50	Prepare supplemental disclosure statement, including production of records in support of defenses (1.50); prepare requests for production of records to medical providers (1.00).
03/28/16	UPPAL, PAVNEET	\$345.00	1.00	Review client documents.
03/29/16	BALCH, SHAYNA	\$325.00	1.00	Review and analysis of Martinez complaint and causes of action and outline deposition topics.
04/12/16	BALCH, SHAYNA	\$390.00	1.20	Continue preparation of written discovery to Martinez, including interrogatories, requests for admission, requests for production, correspondence and medical releases.
04/12/16	UPPAL, PAVNEET	\$1,207.50	3.50	Review and revise requests for production (1.00); review and revise production requests (0.80); review and revise non-uniform interrogatories (1.00); review and analyze plaintiff's obligation to provide HIPAA releases (0.50); revise correspondence to plaintiff regarding her prior limitation of emotional distress claims to "garden variety" emotional distress (0.20).
04/20/16	UPPAL, PAVNEET	\$172.50	0.50	Review plaintiff Martinez's disclosures.
04/26/16	BALCH, SHAYNA	\$65.00	0.20	Correspondence with pro se plaintiff Martinez regarding following up on medical releases.
04/27/16	UPPAL, PAVNEET	\$172.50	0.50	Telephone conference with plaintiff's new counsel regarding plaintiff's emotional distress claims.

Cleopatria Martinez v. MCCCCD**Defendants' Task-Based Itemized Statement of Fees and Expenses**

05/02/16	UPPAL, PAVNEET	\$621.00	1.80	Telephone with plaintiff's counsel regarding discovery issues (0.30); legal research regarding plaintiff's due process claims (1.50).
05/06/16	UPPAL, PAVNEET	\$276.00	0.80	Revise stipulation regarding discovery extension requested by plaintiff's counsel (0.20); review MCCCCD's expert disclosure (0.60).
05/06/16	BALCH, SHAYNA	\$455.00	1.40	Correspondence to E. Robina following up on stipulation to extend case deadlines and status of medical releases (0.20); telephone conference from E. Robina regarding same (0.30); revise proposed stipulation per call (0.20); review and analyze complaint and related documents to confirm relevance of DES file (0.40); prepare DES release to obtain unemployment insurance releases (0.20); correspondence to E. Robina regarding request for DES release to obtain unemployment records and relevance of same (0.10).
05/09/16	UPPAL, PAVNEET	\$34.50	0.10	Review court order regarding revised deadlines.
05/11/16	BALCH, SHAYNA	\$65.00	0.20	Correspondence with D. Karpa regarding FOIA request.
05/12/16	BALCH, SHAYNA	\$130.00	0.40	Telephone conference with E. Robina regarding discovery extension and need for medical releases (0.20); review medical releases for completeness (0.20).
05/13/16	KARPA, DENISE M.	\$140.00	0.70	Draft subpoena, related exhibit and cover letter to the Dept. of Economic Security.
05/13/16	KARPA, DENISE M.	\$60.00	0.30	Prepare and submit FOIA request to the EEOC.
05/13/16	BALCH, SHAYNA	\$97.50	0.30	Communications with D. Karpa regarding subpoena for DES and medical records.
05/13/16	UPPAL, PAVNEET	\$897.00	2.60	Prepare status update report to B. Currey (0.30); review court order extending scheduling deadlines for plaintiff's new counsel (0.10); legal research regarding plaintiff's substantial due process claims (2.20).
05/16/16	BALCH, SHAYNA	\$97.50	0.30	Communications with D. Karpa regarding subpoenas for medical records.
05/17/16	BALCH, SHAYNA	\$65.00	0.20	Correspondence with E. Robina regarding need for signed non-psychotherapy releases for medical records.
05/17/16	UPPAL, PAVNEET	\$448.50	1.30	Review subpoenas for plaintiff's medical records (0.30); review client documents for potential disclosures (1.00).
05/18/16	BALCH, SHAYNA	\$0.00	0.30	Review medical releases and correspondence to D. Karpa regarding same.
05/19/16	BALCH, SHAYNA	\$97.50	0.30	Correspondence with opposing counsel's office regarding request for production of documents.
05/26/16	KARPA, DENISE M.	\$260.00	1.30	Begin to draft the medical records subpoenas and related documents.
05/27/16	KARPA, DENISE M.	\$560.00	2.80	Draft medical records subpoenas, exhibits, declarations, and cover letters for seven healthcare providers.
05/27/16	BALCH, SHAYNA	\$97.50	0.30	Review requests for documents relevant to Martinez's claim for emotional distress damages.

Cleopatria Martinez v. MCCCCD**Defendants' Task-Based Itemized Statement of Fees and Expenses**

05/31/16 BALCH, SHAYNA	\$487.50	1.50	Review and analyze plaintiff's responses to MCCCCD's discovery requests.
06/01/16 BALCH, SHAYNA	\$715.00	2.20	Revise seven subpoenas (0.50); telephone conference and correspondence with P. Carpenter regarding DES release and required release (0.20); continue review of voluminous documents produced by plaintiff (1.50).
06/02/16 BALCH, SHAYNA	\$130.00	0.40	Review and respond to correspondence from A. Johnson regarding Martinez records (0.20); telephone conference from D. Szafransiec's office regarding Martinez records (0.20).
06/03/16 KARPA, DENISE M.	\$100.00	0.50	Research a new address for Dr. Saide and draft a new subpoena and related documents.
06/03/16 BALCH, SHAYNA	\$65.00	0.20	Communications with opposing counsel regarding request for DES records.
06/06/16 UPPAL, PAVNEET	\$34.50	0.10	Review joint report regarding settlement discussions required by Judge Wake.
06/06/16 BALCH, SHAYNA	\$520.00	1.60	Review joint proposed report on settlement reports required by court's standing order (0.10); correspondence with opposing counsel regarding same (0.10); communications with Honor Health regarding request for medical records (0.10); communications with opposing counsel's office regarding same and need for revised medical releases from plaintiff (0.10); telephone conference with Dr. Hellmer's office requesting clarification regarding patient records (0.20); review and analyze documents to be produced to opposing counsel (1.00).
06/07/16 BALCH, SHAYNA	\$162.50	0.50	Various communications with opposing counsel regarding request for DES records and medical releases (0.40); review releases signed by Martinez for completeness (0.10).
06/08/16 BALCH, SHAYNA	\$130.00	0.40	Correspondence with J. Jones regarding revised release for medical records and requested disclosure of records from Honor Health.
06/09/16 BALCH, SHAYNA	\$162.50	0.50	Review and analyze records from Dr. Lewis.
06/15/16 BALCH, SHAYNA	\$130.00	0.40	Telephone conference with DES regarding request for records and DES' delinquent response to same.
06/16/16 BALCH, SHAYNA	\$1,462.50	4.50	Assessment of remaining outstanding documents relevant to emotional distress claim (0.60); follow up telephone calls to providers regarding same (0.40); prepare plaintiff's deposition outline (3.50).
06/17/16 BALCH, SHAYNA	\$195.00	0.60	Review and analyze Arizona Allergy Associates' medical records regarding plaintiff Martinez.
06/21/16 BALCH, SHAYNA	\$130.00	0.40	Review and analyze medical records from John C. Lincoln.
06/21/16 UPPAL, PAVNEET	\$310.50	0.90	Review and analyze plaintiff's medical records received pursuant to subpoena.
06/23/16 UPPAL, PAVNEET	\$138.00	0.40	Review potential issues for expert testimony.

Cleopatria Martinez v. MCCCCD

Defendants' Task-Based Itemized Statement of Fees and Expenses

06/27/16	BALCH, SHAYNA	\$1,205.50	3.70	Continue preparation of plaintiff's deposition outline (2.40); and identify additional discovery to be taken (1.30).
06/27/16	UPPAL, PAVNEET	\$138.00	0.40	Review and analyze potential areas of expert testimony.
06/29/16	BALCH, SHAYNA	\$162.50	0.50	Review and revise outstanding subpoenas for assessment of filing motions to compel production of records.
07/01/16	UPPAL, PAVNEET	\$345.00	1.00	Review and analyze plaintiff's medical records regarding claims of emotional distress.
07/05/16	BALCH, SHAYNA	\$942.50	2.90	Communications with Dr. Szafranec's office regarding past due subpoena response (0.20); communications with Dr. Padnick's current and former offices to locate propose custodian of records (0.60); research to locate Dr. Marshall - a psychiatrist that treated Martinez in 2005 and 2009 for family issues relevant to sources of alternate causation of emotional distress (0.70); communications with psychologist association for determination of possible lead on location of custodian of records for Dr. Marshall's files (0.70); communications with opposing counsel's office regarding same (0.40); review and revise subpoena to Dr. Saide's office based on prior practice's instruction that he moved to another practice (0.30).
07/06/16	UPPAL, PAVNEET	\$621.00	1.80	Review and analyze documents regarding plaintiff's emotional distress claims and allegations of suicidal feelings (0.90); review and analyze grounds for demanding plaintiff's IME (0.50); outline correspondence to plaintiff's counsel regarding plaintiff's failure to disclose healthcare providers and demand for IME (0.40).
07/06/16	BALCH, SHAYNA	\$357.50	1.10	Various communications with DES regarding records request (0.50); review and analyze medical records and strategize regarding grounds for independent medical exam (0.60).
07/08/16	BALCH, SHAYNA	\$1,365.00	4.20	Review and analyze remaining discovery deadlines and outstanding discovery owed by Martinez (0.70); correspondence to opposing counsel summarizing outstanding discovery issues including required medical records, releases and deposition and independent medical examination scheduling (2.00); prepare stipulation to extend discovery deadlines (0.50); revise new medical release in light of newly discovered medical providers (0.30); various communications with opposing counsel regarding stipulation to extend discovery deadlines (0.50); review and revise stipulation pursuant to opposing counsel's request (0.20).
07/08/16	UPPAL, PAVNEET	\$69.00	0.20	Revise stipulation to extend expert deadlines.
07/11/16	BALCH, SHAYNA	\$130.00	0.40	Telephone call to independent medical examiner regarding status of overdue records.

Cleopatria Martinez v. MCCCCD

Defendants' Task-Based Itemized Statement of Fees and Expenses

07/11/16 BALCH, SHAYNA	\$1,170.00	3.60	Review voluminous records received from MCCCCD for relevance and possible disclosures.
07/11/16 UPPAL, PAVNEET	\$345.00	1.00	Review and analyze plaintiff's incomplete discovery responses and document production.
07/12/16 BALCH, SHAYNA	\$195.00	0.60	Review order regarding stipulation to extend expert disclosure deadlines (0.10); prepare revised stipulation per court's request extending all deadlines (0.30); email with opposing counsel regarding same (0.20).
07/13/16 BALCH, SHAYNA	\$2,275.00	7.00	Continue preparation of deposition outline (4.20); outline key medical records for sources of alternate causation for deposition and independent medical examination (2.10); begin preparation of supplemental disclosure statement (0.70).
07/18/16 UPPAL, PAVNEET	\$724.50	2.10	Legal research in support of position that plaintiff received all necessary and required due process protections in connection with her suspension (1.50); review Hearing Committee transcript (0.60).
07/19/16 BALCH, SHAYNA	\$292.50	0.90	Correspondence with E. Robina regarding outstanding discovery issues (0.70); contact Dr. Saide's office regarding overdue document production (0.20).
07/19/16 BALCH, SHAYNA	\$97.50	0.30	Telephone conference with E. Robina's office regarding overdue releases.
07/20/16 BALCH, SHAYNA	\$195.00	0.60	Mandatory meet and confer conference with E. Robina regarding IME of Martinez (0.30); telephone conference with B. Wilson regarding IME (0.30).
07/20/16 BALCH, SHAYNA	\$617.50	1.90	Communications with B. Wilson regarding locating M. Marshall (0.20); analyze medical records and outline questions and discovery needed regarding Martinez's mental state and alleged suicidal status (1.70).
07/21/16 UPPAL, PAVNEET	\$483.00	1.40	Review document production regarding plaintiff's alleged emotional distress, suicidal feelings, depression and purported mistreatment by MCCCCD (0.90); review resume of proposed expert B. Wilson (0.20); prepare status report to B. Currey and request to retain psychologist B. Wilson to conduct plaintiff's independent medical examination (0.30).
07/21/16 BALCH, SHAYNA	\$422.50	1.30	Legal research regarding Martinez's prima facie elements for her claims against Glasper in his individual capacity.
07/23/16 BALCH, SHAYNA	\$1,040.00	3.20	Prepare time line of events and cast of characters for use in deposition and motion for summary judgment (1.00); review and analyze voluminous documents relevant to plaintiff's allegations and legal theories (2.20).
07/25/16 BALCH, SHAYNA	\$715.00	2.20	Prepare supplemental disclosure statement including disclosure of medical records (0.70); review and analyze records relevant to IME to provide to Dr. Brady Wilson (1.50).

Cleopatria Martinez v. MCCCC**Defendants' Task-Based Itemized Statement of Fees and Expenses**

07/25/16	UPPAL, PAVNEET	\$483.00	1.40	Review and analyze MCCCC's document production and expert disclosures in Martinez's first lawsuit.
07/31/16	BALCH, SHAYNA	\$1,820.00	5.60	Continue preparation of deposition outline (2.40); legal research regarding feasibility of due process claim in light of full notice and opportunity to be heard (3.20).
08/01/16	BALCH, SHAYNA	\$552.50	1.70	Telephone conference with Dr. Saide's office regarding overdue document request (0.30); correspondence with DES with revised release (0.10); revise and finalize subpoena to Dr. Davey (0.20); review and analyze Saide medical records including preparation of list of additional medical providers never disclosed by plaintiff (0.70); telephone conference with IMS corporate regarding overdue subpoena response (0.20); voice mail to IMS cardiology local practice office regarding overdue subpoena response (0.10); prepare correspondence to Sabrina regarding overdue response and intention to file motion to compel records (0.10).
08/01/16	UPPAL, PAVNEET	\$759.00	2.20	Legal research regarding plaintiff's due process liberty and property interests in her employment and alleged violations thereof.
08/02/16	BALCH, SHAYNA	\$455.00	1.40	Various correspondence with Dr. B. Wilson regarding locating medical records from M. Marshall (recently deceased) regarding Martinez's mental state and past diagnosis of depression (0.60); correspondence to E. Robina regarding scheduling of Martinez deposition for August 12 and Martinez's failure to disclose all medical providers/records (0.80).
08/03/16	BALCH, SHAYNA	\$130.00	0.40	Telephone conference with Mountain View Family Physicians regarding past due document production.
08/04/16	BALCH, SHAYNA	\$455.00	1.40	Finalize supplemental disclosures (0.30); review records to be produced for relevance (0.50); correspondence to Dr. B. Wilson regarding medical records to be reviewed (0.20); review medical records from 21st Century (0.40).
08/04/16	UPPAL, PAVNEET	\$345.00	1.00	Review additional medical records regarding plaintiff.
08/06/16	BALCH, SHAYNA	\$1,202.50	3.70	Legal research regarding Martinez's failure to plead a prima facie case of due process violation based on a liberty interest based on her admitted insubordination and collateral estoppel of the copyright infringement issue.
08/08/16	BALCH, SHAYNA	\$617.50	1.90	Meet and confer call with E. Robina regarding Martinez's failure to disclose seven healthcare providers and deposition scheduling (0.30); review and analyze complaint and relevant documents for inconsistencies relevant to defenses (1.60).

Cleopatria Martinez v. MCCCDC**Defendants' Task-Based Itemized Statement of Fees and Expenses**

08/09/16	UPPAL, PAVNEET	\$655.50	1.90	Review voluminous documents relevant to plaintiff's due process claims (1.80); prepare correspondence to B. Currey requesting documents regarding plaintiff's claim that she was only given a due process hearing after she was placed on suspension (0.10).
08/09/16	UPPAL, PAVNEET	\$310.50	0.90	Review plaintiff's DES records regarding her efforts to mitigate damages.
08/09/16	BALCH, SHAYNA	\$650.00	2.00	Research regarding application of qualified immunity defense to Martinez's claims (1.20); review and analyze DES records (0.80).
08/10/16	UPPAL, PAVNEET	\$34.50	0.10	Review correspondence provided by L. Dinh regarding due process hearing requested by plaintiff's counsel S. Montoya.
08/10/16	BALCH, SHAYNA	\$910.00	2.80	Review and analyze voluminous 117-paragraph complaint for use at deposition (1.30); outline deposition line of questioning regarding failure to properly plead a liberty interest (0.80); outline deposition questioning regarding failure to properly plead a property interest (0.70).
08/11/16	UPPAL, PAVNEET	\$655.50	1.90	Review and outline arguments for summary judgment and admissions required from plaintiff during her deposition.
08/11/16	BALCH, SHAYNA	\$32.50	0.10	Review and revise notice of deposition for Martinez.
08/15/16	BALCH, SHAYNA	\$2,307.50	7.10	Prepare deposition exhibits (2.00); prepare for deposition including review of relevant pleadings, Hearing Committee findings, plaintiff's five appeals to the Governing Board, transcripts from Martinez's appearances before the Governing Board, and Montoya letters and correspondence regarding due process (4.00); strategize regarding line of questioning regarding Martinez's claim that she did not receive pre-suspension notice (1.10).
08/15/16	UPPAL, PAVNEET	\$345.00	1.00	Review document regarding plaintiff Martinez's request to reschedule due process meeting and related correspondence to and from her former counsel regarding meetings with Vice Chancellor.
08/16/16	BALCH, SHAYNA	\$3,055.00	9.40	Prepare for and conduct deposition of C. Martinez.
08/17/16	BALCH, SHAYNA	\$650.00	2.00	Telephone conference with B. Wilson regarding Martinez's alleged emotional distress, tendencies per medical records to misread information, and IME scheduling (0.80); outline deposition questions regarding distress for second day of deposition (1.20).
08/17/16	UPPAL, PAVNEET	\$310.50	0.90	Prepare and revise status update regarding litigation and plaintiff's deposition testimony to B. Currey, D. Huetter and S. Swain.
08/18/16	BALCH, SHAYNA	\$32.50	0.10	Review facsimile from Dr. Padnick's office regarding medical records.

Cleopatria Martinez v. MCCCC

Defendants' Task-Based Itemized Statement of Fees and Expenses

08/22/16	UPPAL, PAVNEET	\$414.00	1.20	Review transcript for case management conference (0.50); review plaintiff's discovery responses (0.70).
08/23/16	BALCH, SHAYNA	\$325.00	1.00	Telephone conference with Dr. Wilson regarding Martinez independent medical examination, records Wilson needs, and recommended line of questioning for deposition (0.90); correspondence with Dr. Wilson regarding retention as expert witness (0.10).
08/24/16	BALCH, SHAYNA	\$97.50	0.30	Correspondence to E. Robina regarding independent medical examination and stipulation to continue Martinez deposition to second day.
08/26/16	BALCH, SHAYNA	\$325.00	1.00	Correspondence with E. Robina regarding deposition continuation and independent medical examination scheduling (0.20); numerous voice mails to Dr. Padnick's office regarding its failure to produce medical records (0.30); telephone conference with Sabrina regarding Dr. Padnick's need to produce records or the consequence that a motion to compel will be filed (0.30); telephone conference with Bactes, third party production company regarding same (0.20).
08/29/16	BALCH, SHAYNA	\$227.50	0.70	Multiple telephone conferences with Cathy from Bactes regarding Padnick's two-month-overdue records and the filing of a motion to compel (0.50); review and respond to correspondence from plaintiff's counsel regarding IME scheduling (0.20).
08/30/16	BALCH, SHAYNA	\$1,527.50	4.70	Telephone conference with E. Robina regarding IME and deposition parameters and meet and confer conference prior to discovery dispute (0.50); legal research regarding IME and whether counsel has right to attend (1.10); legal research regarding restrictions on scope of IME (0.40); legal research regarding duration of IME (0.60); correspondence to opposing counsel regarding same (1.60); mandatory meet and confer conference with Cathy from Bactes regarding need to urgently produce Padnick medical records prior to filing a motion to compel (0.30); memo to file regarding same (0.20).
08/31/16	UPPAL, PAVNEET	\$345.00	1.00	Review and analyze plaintiff's second set of requests for admission (0.20); review Residential Faculty Policies in response to second set of request for admission (0.30); review and analyze plaintiff's second set of non-uniform interrogatories (0.50).
08/31/16	BALCH, SHAYNA	\$292.50	0.90	Multiple telephone conferences with Bactes regarding their failure to produce records (0.30); review and analyze Padnick medical records for issues of alternate causation of emotional distress (0.30); review and analyze plaintiff's second set of request for admission and second set of request for production (0.30).
09/01/16	BALCH, SHAYNA	\$65.00	0.20	Communications with Dr. B. Wilson regarding additional Padnick medical records.
09/02/16	UPPAL, PAVNEET	\$207.00	0.60	Review excerpts of video deposition of plaintiff.

Cleopatria Martinez v. MCCC**Defendants' Task-Based Itemized Statement of Fees and Expenses**

09/05/16 BALCH, SHAYNA	\$65.00	0.20	Telephone conference with Dr. B. Wilson regarding Martinez's IME and possibility of plaintiff's counsel attending IME and/or trying to limit scope or length of IME.
09/06/16 BALCH, SHAYNA	\$520.00	1.60	Telephone conference with expert Dr. B. Wilson regarding Martinez's failure to appear for her IME (0.20); telephone conference with A. Marton regarding same (0.20); review correspondence from opposing counsel regarding same (0.10); telephone conference with Dr. B. Wilson regarding opposing counsel's cancellation of IME without notice (0.30); strategize regarding response to same (0.40); meet and confer with E. Robaina regarding plaintiff's no show and need to reschedule IME (0.40).
09/06/16 UPPAL, PAVNEET	\$138.00	0.40	Review and analyze arguments supporting motion to compel plaintiff's IME.
09/07/16 UPPAL, PAVNEET	\$345.00	1.00	Review plaintiff's second set of request for production (0.50); review plaintiff's second set of non-uniform interrogatories (0.40); review correspondence from Dr. B. Wilson regarding his expert agreement (0.10).
09/08/16 BALCH, SHAYNA	\$1,007.50	3.10	Review and analyze case law relied upon by plaintiff's counsel regarding failure to produce her for an IME (0.80); review and analyze complaint, medical records, requests for production responses, disclosure statements, and interrogatory responses for concessions that plaintiff's medical is at issue (1.40); conduct legal research regarding plaintiff's contention that she need not appear for an IME (0.90).
09/12/16 BALCH, SHAYNA	\$585.00	1.80	Communications with expert Dr. B. Wilson regarding payment for services spent preparing for IME (0.20); prepare objections to plaintiff's second set of discovery requests (1.60).
09/13/16 BALCH, SHAYNA	\$422.50	1.30	Review and analyze court order regarding discovery dispute protocol (0.20); prepare discovery dispute notice and certificate regarding meet and confer requirements in compliance with same (1.10).
09/14/16 BALCH, SHAYNA	\$390.00	1.20	Various communications with E. Robaina regarding Judge Wake's discovery dispute procedures and meet and confer obligations and MCCC's position with regard to plaintiff's submission to IME (1.10); review plaintiff's portions of discovery dispute memorandum and correspondence regarding same (0.10).
09/14/16 UPPAL, PAVNEET	\$345.00	1.00	Review plaintiff's document production.
09/15/16 UPPAL, PAVNEET	\$172.50	0.50	Outline arguments for presentation to Court regarding plaintiff's IME, or in the alternative, limitation of plaintiff's claims for alleged emotional distress.
09/15/16 BALCH, SHAYNA	\$195.00	0.60	Review and revise defendants' portions of joint notice of discovery dispute (0.40); communications with E. Robaina regarding same (0.20).
09/15/16 BALCH, SHAYNA	\$97.50	0.30	Communications with court regarding IME discovery dispute.

Cleopatria Martinez v. MCCCC

Defendants' Task-Based Itemized Statement of Fees and Expenses

09/16/16 BALCH, SHAYNA	\$325.00	1.00	Prepare motion to extend expert disclosure deadline pending court's decision on IME and proposed order regarding same (0.70); numerous telephone calls and emails with opposing counsel with regard to same (0.30).
09/16/16 BALCH, SHAYNA	\$520.00	1.60	Outline arguments for oral argument on discovery dispute.
09/19/16 BALCH, SHAYNA	\$1,917.50	5.90	Review and analyze joint notice of discovery dispute (0.30); review and analyze case law cited by plaintiff therein (0.90); review authority in support of MCCCC's position that an IME should be compelled (0.70); review and analyze relevant court filings including complaint (0.70); outline points for oral argument (1.40); present oral argument to Court regarding plaintiff's medical/psychological examination and her claims of depression and suicidal ideation (1.80); review court order regarding protective order and extension request (0.10).
09/21/16 UPPAL, PAVNEET	\$414.00	1.20	Review plaintiff's request for 30(b)(6) deposition and deposition of former Chancellor Gasper (0.20); review documents relevant to Dr. Gasper (1.00).
09/22/16 BALCH, SHAYNA	\$195.00	0.60	Telephone conference with Dr. B. Wilson regarding status of expert report preparation and court's denial of request for IME, briefing on prior litigation and due process allegations at issue in present case.
09/25/16 BALCH, SHAYNA	\$585.00	1.80	Prepare supplemental deposition outline in light of binding stipulations regarding emotional distress damages.
09/26/16 UPPAL, PAVNEET	\$414.00	1.20	Review and prepare documents relevant to preparation of former Chancellor Gasper for his deposition.
09/27/16 BALCH, SHAYNA	\$65.00	0.20	Review and respond to correspondence from Dr. B. Wilson regarding retainer agreement.
09/28/16 UPPAL, PAVNEET	\$172.50	0.50	Review correspondence from B. Currey regarding Rule 30(b)(6) depositions (0.10); prepare status update to B. Currey (0.40).
09/28/16 BALCH, SHAYNA	\$65.00	0.20	Review and respond to correspondence from A. Marton regarding 30(b)(6) topics and scheduling.
10/03/16 BALCH, SHAYNA	\$65.00	0.20	Correspondence with E. Robaina regarding limitation of topics for 30(b)(6) deposition as part of mandatory meet and confer obligations per court rules.
10/04/16 BALCH, SHAYNA	\$130.00	0.40	Various communications with A. Marton regarding plaintiff's attempted unilateral cancellation of her scheduled deposition.
10/04/16 UPPAL, PAVNEET	\$34.50	0.10	Prepare correspondence to Dr. Gasper regarding his deposition.
10/05/16 UPPAL, PAVNEET	\$207.00	0.60	Telephone conference with B. Currey regarding discovery and Rule 30(b)(6) depositions (0.40); prepare correspondence to T. Toney regarding her deposition (0.20).

Cleopatria Martinez v. MCCC

Defendants' Task-Based Itemized Statement of Fees and Expenses

10/06/16 BALCH, SHAYNA	\$1,462.50	4.50	Telephone conference with E. Robaina regarding plaintiff's requested depositions of Gasper and 30(b)(6) deponents (0.40); correspondence with B. Wilson regarding additional documents relevant to MCCC's defenses and report preparation (0.30); telephone conference with Gasper regarding requests for information from plaintiff (0.50); telephone conference with E. Robaina regarding proposal regarding Gasper deposition and limitation of same (0.30); prepare correspondence to client regarding documentation still required to respond to discovery requests (0.40); correspondence with L. Kussard regarding location and amount of records responsive to discovery requests (0.20); telephone conference with L. Kussard regarding same (0.70); review documents received from client regarding same (0.30); review and revise plaintiff's proposed stipulation to extend expert report deadlines (0.30); prepare responses to plaintiff's requests for admissions (1.10).
10/06/16 UPPAL, PAVNEET	\$34.50	0.10	Review correspondence from T. Toney regarding her deposition.
10/06/16 UPPAL, PAVNEET	\$448.50	1.30	Telephone conference with Dr. Gasper regarding status of case, plaintiff's allegations and suspension, discovery requests, and preparation and scheduling for his deposition (0.90); review discovery requests in preparation for telephone call with Dr. Gasper (0.40).
10/07/16 BALCH, SHAYNA	\$325.00	1.00	Prepare itemization of required documents still required for defenses (0.90); review order granting plaintiff's extension request (0.10).
10/07/16 UPPAL, PAVNEET	\$103.50	0.30	Conference with S. H. Balch regarding Rule 30(b)(6) depositions (0.20); prepare correspondence to R. Gasper regarding his deposition and prep session (0.10).
10/07/16 UPPAL, PAVNEET	\$621.00	1.80	Review correspondence from T. Toney regarding her deposition (0.10); prepare correspondence to T. Toney regarding subjects for her deposition (0.20); prepare documents for deposition of R. Gasper (1.00); review documents needed to respond to plaintiff's production requests (0.50).
10/07/16 UPPAL, PAVNEET	\$34.50	0.10	Review order granting extension of discovery deadlines.
10/10/16 BALCH, SHAYNA	\$1,137.50	3.50	Prepare for day two of Martinez deposition regarding emotional distress damages, mitigation, and alleged actions that occurred in Fall 2015.
10/11/16 BALCH, SHAYNA	\$1,300.00	4.00	Prepare for and conduct day two of Martinez deposition.
10/12/16 UPPAL, PAVNEET	\$34.50	0.10	Conference with Dr. Gasper regarding his deposition.
10/14/16 UPPAL, PAVNEET	\$103.50	0.30	Review correspondence from plaintiff's counsel regarding expert report (0.10); conference with S. H. Balch regarding expert B. Wilson (0.20).
10/17/16 BALCH, SHAYNA	\$195.00	0.60	Prepare stipulation to extend expert disclosure deadline and correspondence with opposing counsel regarding same.

Cleopatria Martinez v. MCCCDD

Defendants' Task-Based Itemized Statement of Fees and Expenses

10/18/16 UPPAL, PAVNEET	\$34.50	0.10	Review order granting extension of expert deadlines.
10/20/16 BALCH, SHAYNA	\$1,170.00	3.60	Prepare responses to discovery requests.
10/24/16 UPPAL, PAVNEET	\$172.50	0.50	Revise discovery responses.
10/24/16 BALCH, SHAYNA	\$1,397.50	4.30	Continue preparation of discovery responses and initial disclosures (1.40); review documents to be produced for responsiveness and relevance to MCCCDD's defenses (2.10); review and analyze additional records to be produced and discovery to be taken (0.60); communications with E. Robaina regarding extension for same (0.20).
10/25/16 BALCH, SHAYNA	\$520.00	1.60	Conference with P. S. Uppal regarding responses to discovery (0.60); prepare for and conduct telephone conference with Dr. Glasper regarding requests for production (0.50); revise discovery responses based on Dr. Glasper responses (0.50).
10/26/16 BALCH, SHAYNA	\$1,820.00	5.60	Review voluminous hearing records for responsiveness to discovery, relevance to lawsuit, and attorney/client privilege (1.60); prepare supplemental disclosures producing over 3,000 pages (4.00).
10/26/16 UPPAL, PAVNEET	\$1,518.00	4.40	Telephone conference with Dr. Glasper regarding plaintiff's inquiries and discovery requests regarding suspension (0.50); review and analyze discovery responses for supplementation (1.00); review and revise correspondence to B. Currey regarding same(0.40); outline likely exhibits and prepare for Dr. Glasper's deposition (2.50).
10/27/16 BALCH, SHAYNA	\$780.00	2.40	Meet and confer telephone conferences with E. Robaina regarding production of records pertaining to all employees who have been suspended per reduction in force (0.70); strategize regarding approach to producing requested records (0.40); prepare memorandum outlining documents still needed from MCCCDD (1.30).
10/31/16 BALCH, SHAYNA	\$260.00	0.80	Various communications with opposing counsel regarding subject matters of 30(b)(6) depositions (0.40); meet and confer with opposing counsel in compliance with local court rules regarding discovery responses (0.40).
10/31/16 UPPAL, PAVNEET	\$690.00	2.00	Prepare and revise correspondence to B. Currey regarding discovery issues (0.30); review and analyze discovery dispute correspondence from plaintiff's counsel (0.20); review documents potentially responsive to plaintiff's discovery request (1.50).
11/01/16 UPPAL, PAVNEET	\$655.50	1.90	Telephone conference with Dr. Glasper regarding his deposition testimony (0.30); telephone conference with plaintiff's counsel regarding discovery disputes and documents responsive to discovery requests (0.40); legal research regarding plaintiff's denial of due process claims (1.20).

Cleopatria Martinez v. MCCCC

Defendants' Task-Based Itemized Statement of Fees and Expenses

11/02/16 BALCH, SHAYNA	\$780.00	2.40	Prepare for and participate in telephone conference with B. Curry regarding discovery responses (0.60); meet and confer conference with E. Robaina regarding discovery dispute in compliance with local rules (0.60); telephone conference with Glasper regarding deposition and availability for same (0.30); correspondence with E. Robaina regarding same (0.40); correspondence with A. Marton regarding request that Glasper be designated as 30(b)(6) witness regarding suspensions (0.20); telephone conference with B. Wilson regarding invoices (0.20); review notice of deposition for T. Toney (0.10).
11/02/16 UPPAL, PAVNEET	\$276.00	0.80	Review correspondence from J. Castellanos and B. Currey regarding suspensions (0.20); review and investigate suspensions during Dr. Glasper's tenure as Chancellor (0.60); review and analyze request from plaintiff's counsel to enlarge scope of 30(b)(6) deposition of Dr. Glasper (0.20).
11/02/16 UPPAL, PAVNEET	\$69.00	0.20	Telephone conference with Dr. Glasper regarding his rescheduled deposition and prep sessions.
11/03/16 BALCH, SHAYNA	\$260.00	0.80	Communications with E. Robaina regarding pending discovery disputes including scheduling of 30(b)(6) deposition and status of requested documentation in compliance with local rules.
11/04/16 BALCH, SHAYNA	\$227.50	0.70	Communications with J. Castellanos regarding deposition (0.30); correspondence with E. Robaina regarding same (0.20); review notices of deposition filed by E. Robaina (0.20).
11/04/16 UPPAL, PAVNEET	\$34.50	0.10	Review notice of deposition for J. Castellanos.
11/04/16 UPPAL, PAVNEET	\$69.00	0.20	Review correspondence from MCCCC's IT department regarding ESI related to plaintiff Martinez.
11/07/16 BALCH, SHAYNA	\$812.50	2.50	Review correspondence from J. Castellanos regarding suspended employees (0.20); prepare witness outline for interview of T. Toney (1.60); review notice of deposition filed by opposing counsel regarding Castellanos deposition (0.10); correspondence to J. Castellanos regarding same (0.20); telephone conference from J. Castellanos regarding documentation requested by opposing counsel and need for production of same (0.40).
11/07/16 UPPAL, PAVNEET	\$517.50	1.50	Begin reviewing CD ROM of documents provided by L. Dinh for responsiveness to discovery requests.
11/08/16 BALCH, SHAYNA	\$1,820.00	5.60	Prepare for meeting with T. Toney including review of public broad meeting agenda, minutes and transcripts (1.90); conduct interview of T. Toney (2.80); review board policies and procedures forwarded by T. Toney (0.90).

Cleopatria Martinez v. MCCCC

Defendants' Task-Based Itemized Statement of Fees and Expenses

11/08/16	UPPAL, PAVNEET	\$586.50	1.70	Review Martinez's personnel file (0.50); prepare correspondence to B. Currey regarding meeting with T. Toney, her anticipated deposition testimony, and related discovery issues (0.50); review documents provided by T. Toney (0.60); review correspondence from L. Dinh to Hearing Committee Members regarding request for interviews (0.10).
11/09/16	BALCH, SHAYNA	\$617.50	1.90	Various communications with client regarding voluminous documents requested by opposing counsel (0.50); correspondence with T. Toney regarding board policies and procedures (0.50); review board policies and procedures produced by T. Toney and analyze same in relation to Martinez's due process claims (0.90).
11/10/16	BALCH, SHAYNA	\$812.50	2.50	Telephone conference with B. Curry regarding T. Toney deposition (0.20); meet with T. Toney and defend deposition (0.90); meeting with E. Robaina regarding outstanding discovery issues (0.30); status update to P. S. Uppal and B. Curry regarding same(0.30); voicemail to J. Castellanos regarding status of report showing suspensions (0.10); begin to review and analyze email communications from Solley, Bowers, Haines and Glasper relevant to discovery requests (0.70).
11/10/16	UPPAL, PAVNEET	\$483.00	1.40	Review correspondence from B. Currey regarding T. Toney and the Board's statutory authority over disciplinary and personnel issues (0.20); review and analyze prior discovery responses and correspondence to plaintiff's counsel requiring revision and supplementation based on B. Currey's explanation regarding the Board's statutory authority (0.70); meeting with S. H. Balch regarding T. Toney's deposition testimony and opposing counsel's theory of the case (0.50).
11/11/16	BALCH, SHAYNA	\$130.00	0.40	Correspondence to J. Castellanos regarding status of requested report regarding suspensions.
11/11/16	UPPAL, PAVNEET	\$759.00	2.20	Review and analyze excerpts of plaintiff's deposition testimony.
11/14/16	BALCH, SHAYNA	\$195.00	0.60	Various correspondence with J. Castellanos regarding status of faculty suspension reports.
11/14/16	UPPAL, PAVNEET	\$345.00	1.00	Review personnel documents provided by L. Dinh in response to plaintiff's discovery requests.
11/15/16	BALCH, SHAYNA	\$292.50	0.90	Correspondence with J. Castellanos regarding preparation of report showing faculty suspensions (0.40); telephone conference with J. Castellanos regarding same (0.30); correspondence to E. Robaina regarding same (0.20).
11/16/16	BALCH, SHAYNA	\$97.50	0.30	Review and respond to correspondence from E. Robaina regarding status of pending discovery regarding faculty member suspensions.
11/17/16	BALCH, SHAYNA	\$1,267.50	3.90	Prepare for and conduct interview of Judy Castellanos.

Cleopatria Martinez v. MCCC**Defendants' Task-Based Itemized Statement of Fees and Expenses**

11/17/16 UPPAL, PAVNEET	\$690.00	2.00	Meeting with J. Castellanos regarding plaintiff's claims and allegations.
11/18/16 BALCH, SHAYNA	\$390.00	1.20	Review and analyze list of comparator faculty suspensions from S. Gozdich (0.20); review and analyze corresponding suspension notices and related documents from J. Castellanos (0.40); various correspondence with J. Castellanos and S. Gozdich regarding same (0.40); correspondence with opposing counsel regarding same (0.20).
11/18/16 UPPAL, PAVNEET	\$207.00	0.60	Review and analyze suspensions report received from S. Gozdich.
11/21/16 UPPAL, PAVNEET	\$1,207.50	3.50	Meeting with Dr. Gasper in anticipation of his deposition.
11/22/16 BALCH, SHAYNA	\$162.50	0.50	Review Toney deposition transcript.
11/22/16 UPPAL, PAVNEET	\$1,690.50	4.90	Defend Dr. Gasper's deposition (3.00); meeting with plaintiff's counsel regarding potential for settlement and related issues (0.40); meeting with Dr. Gasper regarding opposing counsel's legal theories and claims (0.50); review and analyze exhibits to Dr. Gasper's deposition for preparation of S. Castellanos' deposition testimony (1.00).
11/23/16 BALCH, SHAYNA	\$65.00	0.20	Correspondence with court reporter regarding draft of Gasper deposition.
11/27/16 UPPAL, PAVNEET	\$517.50	1.50	Begin reviewing Dr. Gasper's deposition transcript.
11/28/16 UPPAL, PAVNEET	\$724.50	2.10	Review correspondence from E. Robaina demanding additional discovery (0.20); review Dr. Gasper's deposition transcript (1.90).
11/28/16 BALCH, SHAYNA	\$877.00	2.70	Prepare supplemental disclosure statement (2.10); participate in mandatory meet and confer call with E. Robaina regarding his request for records relating to suspensions with pay in compliance with local rules (0.40); review and analyze correspondence from E. Robaina regarding same (0.20).
11/29/16 UPPAL, PAVNEET	\$448.50	1.30	Review and analyze discovery dispute regarding suspensions without pay and opposing counsel's claim that he is entitled to all records during Dr. Gasper's 13-year tenure as Chancellor pertaining to suspensions without pay (0.90); revise correspondence to opposing counsel regarding irrelevancy of suspensions without pay (0.20); review correspondence from E. Robaina regarding same (0.20).
11/29/16 UPPAL, PAVNEET	\$310.50	0.90	Prepare correspondence to J. Castellanos regarding plaintiff's unilateral cancellation of her deposition (0.20); revise correspondence to plaintiff's counsel regarding discovery dispute and cancellation of deposition (0.20); outline questions for Hearing Committee members in advance of telephone conference with Committee (0.50).
11/29/16 BALCH, SHAYNA	\$1,170.00	3.60	Continue preparation of exhibits to review with Castellanos in anticipation of her deposition (2.10); review and respond to correspondence from E. Robaina regarding his unilateral cancellation of J. Castellanos deposition (0.70); communications with J. Castellanos regarding same (0.20); correspondence with E. Robaina regarding records relating to suspensions without pay (0.60).

Cleopatria Martinez v. MCCCC

Defendants' Task-Based Itemized Statement of Fees and Expenses

11/30/16 BALCH, SHAYNA	\$1,105.00	3.40	Continue review of Glasper deposition transcript (0.50); review and analyze opposing counsel's demand that we produce records relating to employees with suspensions with pay and respond to same (0.70); review and analysis of remaining discovery to be taken and potential motions to compel documentation from Martinez (2.20).
12/01/16 BALCH, SHAYNA	\$520.00	1.60	Review and analyze correspondence from E. Robaina regarding discovery dispute for production of records relating to faculty suspended with pay as a disciplinary measure (0.50); prepare response to same (0.80); mandatory meet and confer telephone conference with E. Robaina regarding same (0.30).
12/02/16 BALCH, SHAYNA	\$617.50	1.90	Review and analyze further correspondence from E. Robaina regarding demand for documentation regarding suspensions with pay as a disciplinary measure (0.40); prepare response to same (0.60); review court's discovery dispute protocol (0.20); participate in mandatory meet and confer conference with E. Robaina regarding same (0.30); telephone conference with E. Robaina regarding rescheduling of J. Castellanos deposition (0.20); communications with J. Castellanos regarding same (0.20).
12/02/16 UPPAL, PAVNEET	\$448.50	1.30	Review correspondence regarding continuing discovery dispute with plaintiff's counsel (0.20); review and analyze opposing counsel's arguments regarding suspensions with pay (0.50); review documents provided by L. Dinh (0.60).
12/05/16 BALCH, SHAYNA	\$552.50	1.70	Correspondence and email with J. Castellanos regarding 30(b)(6) deposition (0.30); review plaintiff's deposition and identify remaining documents needed from opposing counsel (1.40).
12/06/16 BALCH, SHAYNA	\$422.50	1.30	Correspondence with E. Robaina regarding 30(b)(6) deposition (0.40); review final deposition transcript for R. Glasper and prepare correspondence to R. Glasper regarding same (0.90).
12/07/16 BALCH, SHAYNA	\$65.00	0.20	Review two notices of deposition for J. Castellanos.
12/08/16 BALCH, SHAYNA	\$942.50	2.90	Review and analyze notice of anticipated discovery dispute from E. Robaina (0.30); outline defendants' portions to same (0.40); analyze remaining discovery to be taken (1.80); correspondence with J. Castellanos regarding revised deposition date (0.20); review correspondence from T. Toney regarding deposition transcript and her proposed changes to same (0.20).
12/09/16 BALCH, SHAYNA	\$227.50	0.70	Review and revise defendants' portions of discovery dispute notice.
12/09/16 UPPAL, PAVNEET	\$103.50	0.30	Review plaintiff's memo to court regarding discovery dispute and defendants' alleged failure to produce documents (0.10); prepare defendants' response to court regarding dispute (0.20).

Cleopatria Martinez v. MCCCC

Defendants' Task-Based Itemized Statement of Fees and Expenses

12/14/16 BALCH, SHAYNA	\$910.00	2.80	Prepare for meeting with J. Castellanos (1.30); review and analyze documents from client regarding unpaid suspensions and prepare disclosures regarding same (0.80); correspondence with J. Castellanos regarding same (0.50); review and respond to correspondence from court regarding scheduling of discovery dispute conference (0.20).
12/14/16 UPPAL, PAVNEET	\$241.50	0.70	Review documents provided by J. Castellanos regarding suspensions with pay (0.50); meeting with S. H. Balch regarding discovery dispute (0.20).
12/15/16 BALCH, SHAYNA	\$2,015.00	6.20	Defend deposition of J. Castellanos (5.00); participate in discovery dispute conference with opposing counsel (0.50); prepare for oral argument on discovery dispute (0.70).
12/15/16 UPPAL, PAVNEET	\$276.00	0.80	Prepare detailed status update to B. Currey and D. Huetter regarding plaintiff's claims, discovery issues, prospects for summary judgment, and potential mediation.
12/16/16 BALCH, SHAYNA	\$292.50	0.90	Communications with E. Robaina regarding withdrawal of discovery dispute (0.40); telephone conference with court regarding same (0.20); review and revise stipulation regarding same (0.20); review order granting same (0.10).
12/16/16 UPPAL, PAVNEET	\$34.50	0.10	Review order vacating court hearing regarding discoverability of suspensions without pay.
12/28/16 BALCH, SHAYNA	\$390.00	1.20	Review and analyze R. Glasper deposition transcript.
12/29/16 BALCH, SHAYNA	\$780.00	2.40	Continue review of R. Glasper deposition transcript (1.30); begin review of J. Castellanos deposition transcript (1.10).
01/05/17 BALCH, SHAYNA	\$552.50	1.70	Correspondence with E. Robaina and Dr. B. Wilson regarding IME and payment for same (0.20); review of voluminous documents produced and assessment of remaining disclosures in anticipation of close of discovery (1.50).
01/06/17 BALCH, SHAYNA	\$845.00	2.60	Review disclosure statements and documents produced (0.50); review client documents to ensure all documentation relevant to MCCCC's defenses has been produced (2.10).
01/09/17 BALCH, SHAYNA	\$487.50	1.50	Outline arguments for motion for summary judgment.
01/11/17 BALCH, SHAYNA	\$487.50	1.50	Continue to review Castellanos deposition transcript.
01/17/17 UPPAL, PAVNEET	\$345.00	1.00	Review plaintiff's deposition transcript for separate statement of facts.
01/19/17 BALCH, SHAYNA	\$1,787.50	5.50	Legal research for authority that plaintiff's receipt of pre-suspension meeting satisfies due process requirements (3.00); legal research for cases involving lengthy suspensions (2.50).

Cleopatria Martinez v. MCCC**Defendants' Task-Based Itemized Statement of Fees and Expenses**

01/24/17	BALCH, SHAYNA	\$2,015.00	6.20	Continue to review and analyze Castellanos deposition for proposed revisions/clarifications to same (1.10); summarize facts for incorporation into summary judgment motion and statement of facts (3.50); review plaintiff's deposition transcript for admissions to be used in summary judgment motion (1.60).
01/26/17	BALCH, SHAYNA	\$130.00	0.40	Correspondence to R. Gasper regarding deposition corrections (0.20); review and respond to correspondence from B. Wilson regarding invoice for failed IME (0.20).
01/27/17	BALCH, SHAYNA	\$422.50	1.30	Various communications with R. Gasper regarding deposition correction page (0.50); meeting with R. Gasper regarding same (0.60); correspondence with E. Robaina and court reporter regarding same (0.2).
01/28/17	BALCH, SHAYNA	\$2,112.50	6.50	Continue review of plaintiff's deposition transcript for admissions to be used in summary judgment motion (2.10); review termination hearing transcript for admissions by plaintiff that she "made a mistake" when she failed to issue refunds to students and related admissions (1.40); prepare factual summary relevant to due process claims (3.00).
01/30/17	BALCH, SHAYNA	\$65.00	0.20	Correspondence with R. Gasper and court reporter regarding deposition corrections.
01/31/17	BALCH, SHAYNA	\$715.00	2.20	Outline and prepare statement of facts as mandated by local rules.
02/06/17	BALCH, SHAYNA	\$32.50	0.10	Correspondence with B. Wilson regarding IME invoice and correspondence with E. Robaina regarding same.
02/07/17	BALCH, SHAYNA	\$227.50	0.70	Prepare stipulation to extend deadline to file dispositive motions and order regarding same (0.30); correspondence with E. Robaina regarding same (0.30); prepare correspondence to J. Castellanos regarding deposition transcript (0.10).
02/13/17	UPPAL, PAVNEET	\$345.00	1.00	Review defendant Gasper's deposition transcript regarding plaintiff's due process claims.
02/17/17	BALCH, SHAYNA	\$32.50	0.10	Review correspondence from J. Castellanos regarding deposition transcript.
02/18/17	BALCH, SHAYNA	\$1,852.50	5.70	Prepare legal analysis regarding plaintiff's inability to establish a liberty interest in her position with MCCC because the underlying insubordination supporting her suspension is undisputed (1.70); legal research for case law that insubordination charges do not give rise to an actionable liberty interest under due process analysis (1.00); legal analysis regarding plaintiff's inability to claim a liberty due process in her reputation (1.50); prepare legal analysis regarding applicability of the collateral estoppel doctrine (1.50).

Cleopatria Martinez v. MCCC**Defendants' Task-Based Itemized Statement of Fees and Expenses**

02/20/17	BALCH, SHAYNA	\$1,202.50	3.70	Strategize regarding additional arguments to be raised in motion for summary judgment including substantive due process issues and non-justiciable nature of request for declaratory relief (1.60); prepare legal argument regarding justiciable nature of request for declaratory judgment (2.10).
02/22/17	UPPAL, PAVNEET	\$172.50	0.50	Meeting with S. H. Balch regarding summary judgment motion and arguments.
02/24/17	BALCH, SHAYNA	\$877.50	2.70	Prepare factual summary of due process procedures provided to plaintiff.
02/25/17	BALCH, SHAYNA	\$1,560.00	4.80	Prepare legal analysis regarding plaintiff's inability to claim a due process liberty interest based on reputation or exclusion from the teaching field (3.70); legal research for case law that substantive due process does not apply when fundamental rights are not impaired (1.10).
02/26/17	BALCH, SHAYNA	\$1,300.00	4.00	Legal research regarding whether substantive due process is actionable in the employment context with regards to property and/or liberty interests (2.50); legal research regarding justiciability of plaintiff's declaratory relief claim (1.50).
02/27/17	BALCH, SHAYNA	\$2,047.50	6.30	Prepare legal argument regarding plaintiff's inability to establish a property right due process violation as to her proposed termination (1.50); prepare legal argument regarding plaintiff's inability to establish a property right violation with respect to her suspension based on being afforded notice and an opportunity to be heard and prepare factual background and chronology supporting same (3.10); review and revise legal argument regarding plaintiff's property and liberty interest due process claims (1.70).
02/28/17	BALCH, SHAYNA	\$1,982.50	6.10	Prepare legal argument regarding plaintiff's lack of substantive due process claim (0.90); prepare legal argument regarding lack of justiciability of plaintiff's declaratory judgment claim (1.40); prepare argument that plaintiff's declaratory judgment claim is barred by collateral estoppel (0.50); prepare argument that plaintiff received proper notice of the insubordination charge as of March 20, 2013 (0.30); strategize regarding legal argument to address due process pre- and post-deprivation administrative procedures (0.50); review and analyze plaintiff's notice of pre-disciplinary conference and statement of charges for her proposed suspension (0.60); review and analyze Bowers response to plaintiff's request for a post-deprivation hearing for her suspension and strategize regarding approach for addressing same in summary judgment briefing (0.50); review and revise legal argument that plaintiff received due process hearings and a meaningful opportunity to be heard (1.40).
02/28/17	UPPAL, PAVNEET	\$138.00	0.40	Meeting with S. H. Balch regarding post-deprivation due process arguments for summary judgment motion.

Cleopatria Martinez v. MCCC**Defendants' Task-Based Itemized Statement of Fees and Expenses**

03/01/17	BALCH, SHAYNA	\$3,640.00	11.20	Correspondence with A. Marton regarding J. Castellanos deposition and S. Gaddis (0.20); review and analyze case law regarding declaratory relief requests in employment actions involving due process claims (1.60); prepare legal argument regarding same (1.20); revise and finalize motion for summary judgment (4.50); prepare statement of facts in support of motion for summary judgment (3.70).
03/02/17	BALCH, SHAYNA	\$3,217.50	9.90	Continue preparation of statement of facts in support of motion for summary judgment (5.60); review and analyze November 18, 2013 hearing transcript for admissions to be used in motion for summary judgment briefing (1.30); review plaintiff's deposition transcripts for admissions to be used in motion for summary judgment briefing (1.10); review and analyze various key exhibits showing notice and an opportunity to be heard by plaintiff (1.50); correspondence with A. Marton regarding request of waiver of confidentiality governing S. Gaddis employment records (0.20); review and redact S. Gaddis employment records and correspondence with counsel regarding stipulation to file same in court without seal (0.20).
03/02/17	UPPAL, PAVNEET	\$1,207.50	3.50	Review and revise motion for summary judgment (2.50); review separate statement of facts in support of motion for summary judgment (1.00).
03/03/17	BALCH, SHAYNA	\$1,787.50	5.50	Finalize statement of facts (1.60); insert citations in accordance with local rules (1.00); review cases cited in brief to ensure precedential value of same (0.80); prepare declaration of R. Glasper (1.70); correspondence with Glasper regarding same (0.40).
03/03/17	UPPAL, PAVNEET	\$414.00	1.20	Begin review and analysis of plaintiff's cross motion for summary judgment.
03/06/17	BALCH, SHAYNA	\$747.50	2.30	Review and analyze plaintiff's statement of facts in support of plaintiff's cross motion for summary judgment and begin preparation of objections to same (2.30).
03/07/17	BALCH, SHAYNA	\$845.00	2.60	Review and respond to correspondence from court regarding preferred method of submitting voluminous records (0.10); prepare controverting statement of facts in opposition to plaintiff's motion for summary judgment (2.50) .
03/09/17	BALCH, SHAYNA	\$910.00	2.80	Review and analyze plaintiff's motion for summary judgment and case law cited therein (1.50); outline responsive arguments (1.30).
03/10/17	BALCH, SHAYNA	\$422.50	1.30	Prepare objections and responses to plaintiff's statement of facts in support of her motion for summary judgment.
03/14/17	BALCH, SHAYNA	\$130.00	0.40	Review and revise draft stipulation to extend deadline to respond to dispositive motions and communications with A. Marton regarding same.
03/15/17	BALCH, SHAYNA	\$32.50	0.10	Review order granting stipulation to extend deadline to respond to motion for summary judgment.

Cleopatria Martinez v. MCCCCD

Defendants' Task-Based Itemized Statement of Fees and Expenses

03/15/17	BALCH, SHAYNA	\$942.50	2.90	Continue preparation of response and objections to plaintiff's statement of facts.
03/17/17	UPPAL, PAVNEET	\$310.50	0.90	Review deposition excerpts relevant to plaintiff's motion for summary judgment arguments.
03/17/17	BALCH, SHAYNA	\$2,112.50	6.50	Prepare response to plaintiff's motion for summary judgment.
03/24/17	BALCH, SHAYNA	\$877.50	2.70	Continue preparation of responses and objections to plaintiff's statement of facts as required by local rules.
03/29/17	BALCH, SHAYNA	\$1,332.50	4.10	Prepare legal argument regarding plaintiff's failure to establish her due process claim.
03/30/17	BALCH, SHAYNA	\$1,495.00	4.60	Continue preparation of response to plaintiff's motion for summary judgment.
03/30/17	UPPAL, PAVNEET	\$828.00	2.40	Review and analyze plaintiff's voluminous arguments and legal authority in opposition to defendants' motion for summary judgment.
04/03/17	BALCH, SHAYNA	\$1,105.00	3.40	Review and analyze plaintiff's voluminous exhibits to her statement of facts in support of plaintiff's summary judgment motion (2.10); legal research for case law indicating that no separate cause of actions exists for 42 U.S.C. § 1983 separate and apart from plaintiff's procedural due process (1.30).
04/04/17	BALCH, SHAYNA	\$682.50	2.10	Review and analyze plaintiff's motion for summary judgment and outline response to same (1.20); begin review of cases cited therein (0.90).
04/05/17	BALCH, SHAYNA	\$812.50	2.50	Prepare response to plaintiff's motion for summary judgment.
04/10/17	BALCH, SHAYNA	\$585.00	1.80	Prepare response to plaintiff's motion for summary judgment focusing on analysis that plaintiff received all the due process she was entitled to.
04/11/17	BALCH, SHAYNA	\$2,112.50	6.50	Prepare legal analysis that plaintiff's impartial decision maker argument is barred by her failure to disclose the argument during discovery (0.70); review and analyze Walker, Winthrow, and American General cases heavily relied upon by plaintiff (1.80); legal research regarding precedential value of same and contrary case law (2.30); prepare legal analysis regarding distinctions of cases (1.70).
04/12/17	BALCH, SHAYNA	\$2,535.00	7.80	Prepare legal analysis regarding plaintiff's argument that she was denied an impartial decision maker and invalidity of same (2.20); prepare legal argument that plaintiff was not deprived of the opportunity to respond to new allegations (1.30); review, revise and finalize response to plaintiff's motion for summary judgment (2.70); review of legal arguments and objections to PSOF for assessment of whether declarations or additional evidence is necessary (1.60).
04/13/17	BALCH, SHAYNA	\$195.00	0.60	Review and analyze Westcheck report to ensure precedential value of cases cited in response to plaintiff's motion for summary judgment.
04/13/17	BALCH, SHAYNA	\$682.50	2.10	Prepare legal objections to plaintiff's statement of facts.
04/13/17	UPPAL, PAVNEET	\$690.00	2.00	Review and revise opposition to plaintiff's cross motion for summary judgment.

Cleopatria Martinez v. MCCCDC

Defendants' Task-Based Itemized Statement of Fees and Expenses

04/14/17	BALCH, SHAYNA	\$910.00	2.80	Review and analyze Glasper deposition transcript and compare admissions to plaintiff's statement of facts to assess accuracy of representations in statement of facts (1.30); review and analyze Castellanos deposition transcript and compare admissions to plaintiff's statement of facts to assess accuracy of representations in statement of facts (1.50).
04/17/17	BALCH, SHAYNA	\$2,632.50	8.10	Finalize objections and responses to plaintiff's statement of facts in support of her motion for summary judgment (4.50); revise and finalize response to plaintiff's motion for summary judgment (2.10); insert citations to factual authority as required by local rules (1.50).
04/17/17	UPPAL, PAVNEET	\$552.00	1.60	Review and revise response brief in opposition to plaintiff's motion for summary judgment (1.00); review and revise controverting statement of facts (0.60).
04/18/17	BALCH, SHAYNA	\$910.00	2.80	Review and analyze Martinez response to Defendants' motion for summary judgment and controverting statement of facts and begin analysis of case law cited therein.
04/19/17	UPPAL, PAVNEET	\$759.00	2.20	Review and analyze plaintiff's responses in opposition to MCCCDC's motion for summary judgment (1.70); outline reply brief in support of MCCCDC's motion for summary judgment (0.50).
04/24/17	BALCH, SHAYNA	\$682.50	2.10	Prepare reply in support of motion for summary judgment.
04/25/17	BALCH, SHAYNA	\$97.50	0.30	Correspondence with A. Marten regarding plaintiff's request for extension of time to respond to motion for summary judgment.
04/26/17	BALCH, SHAYNA	\$975.00	3.00	Review proposed stipulation regarding plaintiff's request to extend deadline to answer and correspondence with opposing counsel regarding same (0.50); review and analyze response to defendant's motion for summary judgment and prepare reply to same (2.50).
04/26/17	UPPAL, PAVNEET	\$34.50	0.10	Review order granting stipulation to extend time for reply briefs.
04/27/17	BALCH, SHAYNA	\$32.50	0.10	Review order granting stipulation to extend deadline to respond to motion for summary judgment.
04/28/17	BALCH, SHAYNA	\$1,137.50	3.50	Prepare reply in support of motion for summary judgment.
05/05/17	BALCH, SHAYNA	\$1,170.00	3.60	Review and analyze case law cited by plaintiff in her response to MCCCDC's motion for summary judgment (2.10); case law regarding research regarding contrary case law that plaintiff's declaratory relief claims for failure to properly plead an underlying statutory violation giving rise to declaratory relief (1.50).
05/06/17	BALCH, SHAYNA	\$1,462.50	4.50	Prepare legal analysis regarding plaintiff's deficient claims for liberty interest due process violation and request for declaratory relief.

Cleopatria Martinez v. MCCC

Defendants' Task-Based Itemized Statement of Fees and Expenses

05/08/17	BALCH, SHAYNA	\$1,885.00	5.80	Legal research regarding plaintiff's newly alleged bases for her request for declaratory relief (2.60); review and analyze pleadings supporting her new theory based on first amendment right to academic freedom (.70); legal research regarding collateral estoppel doctrine (2.50).
05/10/17	BALCH, SHAYNA	\$877.50	2.70	Prepare legal analysis regarding plaintiff's failure to establish her property due process claim.
05/11/17	BALCH, SHAYNA	\$162.50	0.50	Telephone conference with opposing counsel regarding stipulated extension request (0.10); prepare stipulation to extend reply deadline and proposed order regarding same and correspondence with opposing counsel regarding same (0.40).
05/14/17	BALCH, SHAYNA	\$1,235.00	3.80	Prepare reply in support of motion for summary judgment.
05/17/17	BALCH, SHAYNA	\$487.50	1.50	Prepare reply in support of motion for summary judgment.
05/18/17	BALCH, SHAYNA	\$2,827.50	8.70	Prepare legal analysis regarding plaintiff's request for declaratory relief having no legal basis in the law (1.80); prepare legal analysis regarding plaintiff's belatedly raised argument that her declaratory relief claim is premised on academic freedom is not properly before the court due to lack of disclosure (0.90); prepare legal analysis that plaintiff's declaratory relief claim is barred by res judicata (2.40); prepare legal analysis that MCCC's copy restrictions do not infringe on plaintiff's right to academic freedom because plaintiff has not met her burden in establishing that her course materials related to a matter of public concerns or that MCCC's interest in avoiding a copyright infringement lawsuit do not override her academic freedom interests (3.60).
05/19/17	BALCH, SHAYNA	\$2,535.00	7.80	Prepare legal analysis regarding plaintiff's claims that she was denied an impartial decision maker (2.10); and that she was denied the opportunity to respond to new allegations (1.80); prepare legal analysis regarding plaintiff's receipt of due process protections with respect to her termination (2.30); review, revise and finalize same (1.60).
05/22/17	UPPAL, PAVNEET	\$621.00	1.80	Review and revise reply brief in support of motion for summary judgment.
05/23/17	UPPAL, PAVNEET	\$414.00	1.20	Review plaintiff's reply in support of her cross motion for summary judgment.
05/23/17	BALCH, SHAYNA	\$975.00	3.00	Review and revise motion for summary judgment (2.40); review and analyze brief check report to ensure precedential value of cases cited in brief (0.60).
05/26/17	UPPAL, PAVNEET	\$310.50	0.90	Prepare status update to B. Currey, S. Swain, and D. Huettner (0.10); review and analyze plaintiff's reply brief in support of her cross motion for summary judgment (0.80).

Cleopatria Martinez v. MCCC**Defendants' Task-Based Itemized Statement of Fees and Expenses**

06/22/17 UPPAL, PAVNEET	\$621.00	1.80	Meeting with R. Currey, S. Swain, and D. Huetter regarding assessment of potential liability and settlement options.
06/30/17 UPPAL, PAVNEET	\$34.50	0.10	Prepare correspondence to L. Dinh regarding revised budget.
07/12/17 UPPAL, PAVNEET	\$241.50	0.70	Review relevant pleadings regarding status of case and plaintiff's alleged damages in preparation for settlement discussions with plaintiff's counsel (0.50); prepare correspondence to E. Robaina regarding potential mediation (0.20).
07/13/17 UPPAL, PAVNEET	\$207.00	0.60	Conference with plaintiff's counsel regarding plaintiff's settlement expectations and potential mediation.
07/18/17 UPPAL, PAVNEET	\$172.50	0.50	Prepare litigation status report to B. Currey, D. Huetter and S. Swain.
08/11/17 UPPAL, PAVNEET	\$138.00	0.40	Conference with plaintiff's counsel regarding mediators (0.20); prepare status report to B. Currey, D. Huetter and S. Swain regarding same (0.20).
08/14/17 UPPAL, PAVNEET	\$241.50	0.70	Conference with E. Robaina regarding mediation (0.20); outline mediation issues (0.50).
10/19/17 UPPAL, PAVNEET	\$310.50	0.90	Review court notice regarding scheduling of oral argument (0.10); review case file regarding pending cross motions for summary judgments scheduled for oral arguments and begin organizing exhibits for oral argument (0.80).
10/19/17 UPPAL, PAVNEET	\$69.00	0.20	Review correspondence from court clerk whether the parties desire oral argument on their cross motions for summary judgment (0.10); prepare correspondence to court clerk regarding same (0.10).
10/23/17 UPPAL, PAVNEET	\$69.00	0.20	Review correspondence from court clerk regarding availability for oral argument (0.10); prepare correspondence to court clerk regarding same (0.10).
10/24/17 UPPAL, PAVNEET	\$862.50	2.50	Review plaintiff's voluminous cross motion for summary judgment, statement of facts, and supporting exhibits in advance of oral argument.
10/24/17 UPPAL, PAVNEET	\$69.00	0.20	Prepare correspondence to court clerk regarding oral argument on parties' cross motions for summary judgment (0.10); review order regarding same (0.10).
10/25/17 UPPAL, PAVNEET	\$1,035.00	3.00	Review voluminous briefing and exhibits for oral argument regarding MCCC's motion for summary judgment (1.50); prepare and outline oral argument presentation for court hearing regarding summary judgment (1.50).
10/27/17 BALCH, SHAYNA	\$747.50	2.30	Review and analyze voluminous motions for summary judgment briefing in anticipation of October 30, 2017 oral argument on cross motions for summary judgment.

Cleopatria Martinez v. MCCCDD

Defendants' Task-Based Itemized Statement of Fees and Expenses

10/30/17 UPPAL, PAVNEET	\$1,276.50	3.70	Review excerpts of record as to which Judge Wake is most likely to raise questions during oral argument (1.00); attend and present oral argument (1.90); prepare summary and status update regarding oral argument to B. Currey, L. Cooper, D. Huetter and S. Swain (0.80).
Total Attorneys' Fees:	\$219,652.10	667.10	

II. Expenses

<u>Date</u>	<u>Timekeeper Name</u>	<u>Billed Amt</u>	<u>Description</u>
09/01/16	UPPAL, PAVNEET	\$1,391.69	INVOICE#: 10726; Video Deposition of C. Martinez
10/19/16	UPPAL, PAVNEET	\$3,657.50	INVOICE#: 101916; C. Brady Wilson, Ph.D, Record Review-C. Martinez
10/24/16	UPPAL, PAVNEET	\$812.72	INVOICE#: 10863; Video Deposition of C. Martinez, Vol. 2
Total Expenses:		\$5,861.91	

Total Attorneys' Fees and Expenses: \$225,514.01

27948.0009

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3241 E Shea Blvd. Ste 7
 Phoenix, AZ 85028
 (602) 992-4443
 video@k-video.com
 www.k-video.com

**INVOICE**

INVOICE # 10863
DATE 10/24/2016
DUE DATE 11/23/2016
TERMS Due in 30 days

BILL TO

Fisher & Phillips LLP
 Pavneet Singh Uppal
 201 E. Washington St.,#1450
 Phoenix, AZ 85004

SHIP TO

Fisher & Phillips LLP
 201 E. Washington
 St.,#1450
 Phoenix, AZ 85004

Please detach top portion and return with your payment.

SHIP DATE	SHIP VIA	WITNESS	MATTER
10/24/2016	Messenger	Cleopatria Martinez, Vol.2	Martinez vs. MCCCC

DATE	ACTIVITY	QTY	RATE	AMOUNT
08/11/2016	Legal:Video:Production	4.50	95.00	427.50
08/11/2016	Legal:Archive & Storage 10 years in compliance with: ACJA § 3-402 & A.R.S. Rules of Civil Procedure, Rule 43(k).	2	36.00	72.00
10/24/2016	Legal:Orders:Sync Summation	2	135.00	270.00T

We greatly appreciate your business!

Late charge of 1.67% per month (annual percentage rate of 20%) will apply
 on unpaid amounts after 30 days.

SUBTOTAL	769.50
TAX (8.6%)	23.22
SHIPPING	20.00
TOTAL	812.72
BALANCE DUE	\$812.72

27948.009

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 Phoenix, AZ 85028
 (602) 992-4443
 video@k-video.com
 www.k-video.com

**INVOICE**

INVOICE # 10726
DATE 09/01/2016
DUE DATE 10/01/2016
TERMS Due in 30 days

BILL TO

Fisher & Phillips LLP
 Pavneet Singh Uppal
 201 E. Washington St.,#1450
 Phoenix, AZ 85004

SHIP TO

Fisher & Phillips LLP
 201 E. Washington
 St.,#1450
 Phoenix, AZ 85004

SHIP DATE

09/01/2016

SHIP VIA

Messenger

WITNESS

Cleopatria Martinez

MATTER

Martinez vs. MCCCCD

DATE	ACTIVITY	QTY	RATE	AMOUNT
08/16/2016	Legal:Video:Production	6.75	95.00	641.25
08/16/2016	Legal:Archive & Storage 10 years in compliance with: ACJA § 3-402 & A.R.S. Rules of Civil Procedure, Rule 43(k).	4	36.00	144.00
09/01/2016	Legal:Orders:Sync Summation	4	135.00	540.00T

We greatly appreciate your business!

Late charge of 1.67% per month (annual percentage rate of 20%) will apply
 on unpaid amounts after 30 days.

SUBTOTAL	1,325.25
TAX (8.6%)	46.44
SHIPPING	20.00
TOTAL	1,391.69
BALANCE DUE	\$1,391.69

9316 E Raintree Drive
Suite 130
Scottsdale, Arizona 85260

C. BRADY WILSON, PH.D.
PSYCHOLOGIST • CONSULTANT

Phone (480) 778-0202
FAX (480) 778-0204
drwilson@cbradywilsonphd.com

TIN 86-0410074

INVOICE

Re: Cleopatria Martinez
Invoice Date: 10/19/2016

Invoice #: 101916

Date	Code	Description	Hours/Units	Rate/Hr	Charge
08/04/2016		Initial Records Received			
08/08/2016	301	Record Review	.8	\$ 275.00	\$ 220.00
		Review of Complaint			
08/15/2016	301	Record Review	2.0	\$ 275.00	\$ 550.00
		Medical Records			
08/19/2016	301	Record Review	1.0	\$ 275.00	\$ 275.00
		Medical Records			
08/23/2016	301	Record Review	1.0	\$ 275.00	\$ 275.00
		Medical Records			
08/24/2016	301	Record Review	.5	\$ 275.00	\$ 137.50
		Review of Records and Notes, Consult Prep			
08/24/2016	301	Atty. Consult	.5	\$ 275.00	\$ 137.50
10/06/2016	301	Record Review	.8	\$ 275.00	\$ 220.00
		Deposition dated August 16, 2016			
10/12/2016	301	Record Review	1.2	\$ 275.00	\$ 330.00
		Deposition dated October 11, 2016			
10/13/2016	301	Record Review	.5	\$ 275.00	\$ 137.50
		Transcript of Hearing, dated November 18, 2013			
10/15/2016	301	Record Review	1.0	\$ 275.00	\$ 275.00
		Review Notes/Notations			
10/15/2016	317	Report Preparation	1.0	\$ 275.00	\$ 275.00
10/16/2016	317	Report Preparation	1.8	\$ 275.00	\$ 495.00
10/16/2016	317	Report Preparation	1.2	\$ 275.00	\$ 330.00
		Editing and Delivery			
		Legal Consult			

<u>Totals</u>	<u>Hours</u>	<u>13.3</u>	<u>Balance Due</u>	<u>\$ 3,657.50</u>
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27948.0009

Exhibit 3

SCHLEIER LAW OFFICES, P.C.

3101 N. Central Avenue
Suite 1090
Phoenix, Arizona 85012
Telephone: (602) 277-0157
Facsimile: (602) 230-9250

TOD F. SCHLEIER, ESQ. #004612
Email: tod@schleierlaw.com
BRADLEY H. SCHLEIER, ESQ. #011696
Email: brad@schleierlaw.com

SUSAN MARTIN #014226

JENNIFER KROLL #019859

MARTIN & BONNETT, P.L.L.C.

1850 N. Central Ave. Suite 2010
Phoenix, Arizona 85004
Telephone: (602) 240-6900
smartin@martinbonnett.com
jroll@martinbonnett.com

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

Thomas G. Frazier, a married man,) Case No.: CV 10-01618-PHX-DJH
)
Plaintiff,)
)
v.)

Honeywell International, Inc., a Delaware) **DECLARATION OF BRADLEY**
corporation; Honeywell Retirement Earnings) **SCHLEIER IN SUPPORT OF**
Plan; Salaried Employees Pension Plan of) **PLAINTIFFS' MOTION FOR**
Allied Corporation; Salaried Employees) **AWARD OF ATTORNEYS' FEES**
Pension Plan of AlliedSignal, Inc.; Salaried) **AND COSTS**
Employees Pension Plan of the Bendix)
Corporation; Pension Plan for Salaried)
Employees of General Aviation Avionics;)
Plan Administrator of the Honeywell)
Retirement Earnings Plan; Plan Administrator)
of the Salaried Employees Pension Plan of)
Allied Corporation; Plan Administrator of the)
Salaried Employees Pension Plan of the)

1 Bendix Corporation, Plan Administrator of)
2 the Pension Plan for Salaried Employees of)
3 General Aviation Avionics,)
4 Defendants.)

5 I, Bradley Schleier, state as follows:

6 1. I am a principal in the firm of Schleier Law Offices, P.C., Class Counsel
7 in this action. I submit this declaration in support of Plaintiffs' Motion for Attorneys'
8 Fees and Costs to be paid from the common benefit fund created by the settlement.

9 2. My background, qualifications and experience and those of the other
10 attorneys in this firm are set forth in detail in the declarations submitted to the Court in
11 support of Plaintiffs' Motion for Class Certification, (Doc. 111), and were approved by
12 the Court in its Order granting Plaintiffs' Motion for Class Certification. (Doc. 165 p.
13 11.)

14 3. I have over 27 years of experience litigating employment related cases,
15 ERISA cases. I received my undergraduate degree from Washington University in St.
16 Louis in 1984 and my J.D. from the Arizona State University in 1987. I was admitted to
17 practice law in the State of Arizona in 1987.

18 4. I began working on cases under employment related cases as soon as I
19 began practicing law and have been litigating said cases since that time. My practice
20 spans all type of employment cases, including discrimination, wrongful termination,
21 harassment, wage claims, and other claims relating to the workplace. I have also
22 represented individual clients in ERISA litigation relating to benefits claims.

23 5. I am also involved in many professional activities. I have lectured on
24 various employment related issues and was a former chair of the Labor and
25 Employment Section of the State Bar of Arizona. I have also been recognized by my

1 peers in such publications as Martindale Hubbell, Best Lawyers, and Super Lawyers for
2 my work in the employment related field.

3 6. Our firm practices almost exclusively in the area of employment-related
4 litigation on behalf of individuals and small businesses. Our firm is considered one of the
5 top firms in the State of Arizona for handling employment claims. My partner, Tod
6 Schleier, also performed some work on this case. Tod Schleier has been with the firm
7 since its inception in 1989. He was admitted to practice law in the State of Arizona in
8 1976. He spends a substantial portion of his time litigating employment related
9 cases, as well as being a mediator in employment related cases. He received his
10 undergraduate degree from Brown University in 1973 and his J.D. from Arizona State
11 University in 1976.

12 7. In addition to time spent by Tod Schleier and me, Mary Portillo spent a
13 significant amount of time assisting in the above captions matter. Mary Portillo is a
14 Certified Paralegal and serves as a litigation support paralegal for Schleier Law Offices.
15 She received her Associates degree in Legal Assisting from Phoenix College in 2003
16 and achieved her NALA certification as a Certified Paralegal in 2004. She also
17 completed the NALA Advanced Paralegal Certification program on Discovery in 2009
18 qualifying her for the Advanced Certified Paralegal "ACP" designation. Mary is a
19 member of the National Association of Legal Assistants and the Arizona Paralegal
20 Association and has worked with Schleier Law Offices for over 25 years.

21 8. I began working on the above matter with Mr. Frazier in 2009. As I
22 began to investigate this matter further, it became apparent that the case could involve
23 class claims. As my ERISA experience had been in handling individual benefit claims,
24 I decided to reach out to attorneys with experience in handling Class Action claims
25 involving ERISA. At that time, I had just completed litigating another potential class
action claim with Martin & Bonnett and was well aware of the national scope of their

1 practice as well as their national reputation and experience. I was also aware of the high
2 quality of work performed by Susan Martin and Jennifer Kroll on ERISA Class Action
3 Claims. I therefore sought their involvement as lead counsel in above caption matter.
4 Their firm began work on the case in July 2010 and they made an appearance as lead
5 counsel in March 2011.

6 8. Schleier Law Offices, P.C. has kept detailed contemporaneous time
7 records. Attached as Exhibit "A" to this Declaration is a true and correct copy of a
8 summary of my firm's time in this matter, which accurately records the time devoted by
9 my firm to this litigation.

10 9. I currently charge an hourly rate of \$400 per hour for my time. Tod
11 Schleier regularly charges a rate \$475 per hour. Our firm currently charges a regular
12 hourly rate of \$150-175 per hour for paralegal time. We have reviewed our firms' task-
13 based time records through the date of the filing of this motion and have exercised billing
14 judgment. As noted by the various affidavits attached to Susan Martin's Declaration,
15 these billing rates are well below the averages for attorneys working on complex, class
16 action, ERISA claims.

17 10. From the inception of the Schleier Law Offices' representation in
18 September 2009, through the filing of this motion, our firm has billed lodestar fees in the
19 amount of \$574,432.50.

20 11. Schleier Law Offices is a small firm. This case posed significant financial
21 risks to us and had a significant impact on our business. Litigating this case meant that
22 we had to carefully consider new cases and we also declined other business so we could
23 allocate sufficient time and resources to this matter.

24 12. Attached as Exhibit "B" to this Declaration is a listing of costs and receipts
25 in the amount of \$22,018.36 incurred by Schleier Law Offices related to the litigation

1 separate and apart from the costs submitted with Susan Martin's Declaration.¹ (Bates
2 SchleierCosts 000001-000091).

3 I declare under penalty of perjury under the laws of the United States of America
4 that the foregoing is true and correct.

5 Executed on June 16, 2015.

6
7

Bradley H. Schleier

8
9 **CERTIFICATE OF SERVICE**

10 I hereby certify that on June 16, 2015, I electronically filed the foregoing **NOTICE**
11 **OF SERVICE** with the Clerk's Office using the CM/ECF System which shall send
notification of the electronic filing to the following CM/ ECF registrants:

12 David B. Rosenbaum
13 Dawn L. Dauphine
14 OSBORN MALEDON, P.A.
15 2929 North Central Avenue, 21st Floor
Phoenix, Arizona 85012-2794

16 Howard Shapiro (admitted *pro hac vice*)
17 PROSKAUER ROSE LLP
18 650 Poydras Street, Suite 1800
New Orleans, Louisiana 70130-6146

19 Amy Covert (admitted *pro hac vice*)
20 Myron D. Rumeld (admitted *pro hac vice*)
21 Russell L. Hirschhorn (admitted *pro hac vice*)
22 PROSKAUER ROSE LLP
Eleven Times Square
New York, New York 10036-8299

23

24 ¹ The listing of costs notes \$80,651.59 that was paid to Martin & Bonnett to be used to
25 pay outstanding costs, as well as \$39 in postage costs. Said payments to Martin &
Bonnett are part of the costs and receipts submitted by their firm as noted in Susan
Martin's Declaration.

1 Attorneys for Defendants

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3 Bradley Schleier

Bradley Schleier

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EXHIBIT A

TIME AND CHARGES FOR SCHLEIER LAW OFFICES

Attorney/Paralegal	Hours	Rate	Total
Bradley Schleier	1017.35	\$400	\$406,940.00
Tod Schleier	40.9	\$475	\$ 19,427.50
Mary Portillo	987.10	\$150	\$148,065.00
TOTAL			\$574,432.50